

Jason M. Springs
District #1

Roger M. Poston
District #2

Alphonso Bradley
District #3

Mitchell Kirby
District #4

Kent C. Caudle
District #5

Russell W. Culberson
District #6

Waymon Mumford
District #7

James T. Schofield
District #8

Willard Dorriety, Jr.
District #9

AGENDA
FLORENCE COUNTY COUNCIL
REGULAR MEETING
COUNTY COMPLEX
180 N. IRBY STREET
COUNCIL CHAMBERS, ROOM 803
FLORENCE, SOUTH CAROLINA
THURSDAY, OCTOBER 16, 2014
9:00 A. M.

I. **CALL TO ORDER:** JAMES T. SCHOFIELD, CHAIRMAN

II. **INVOCATION:** MITCHELL KIRBY, SECRETARY/CHAPLAIN

III. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:**
WAYMON MUMFORD, VICE CHAIRMAN

IV. **WELCOME:** JAMES T. SCHOFIELD, CHAIRMAN

V. **MINUTES:**

A. **MINUTES OF THE SEPTEMBER 18, 2014 REGULAR MEETING** [1]
Council Is Requested To Approve The Minutes Of The September 18, 2014
Regular Meeting Of County Council.

B. **MINUTES OF THE SEPTEMBER 25, 2014 SPECIAL CALLED MEETING** [19]
Council Is Requested To Approve The Minutes Of The September 25, 2014
Special Called Meeting Of County Council.

VI. PUBLIC HEARINGS:

[26]

Council Will Hold Public Hearings On The Following:

A. ORDINANCE NO. 06-2014/15

An Ordinance To Amend The Florence County Code, Chapter 30, Zoning Ordinance, Article 1. Establishment, Purpose, Rules For The Interpretation Of Zoning Districts, And Zoning Annexed Property, Section 30-4. – Adoption Of Flood Hazard Area Maps, Article II. – Zoning District Regulations, Division 4. – FH Flood Hazard District, And Article X. – Definitions; And Other Matters Related Thereto.

B. ORDINANCE NO. 07-2014/15

An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) General Obligation Bond Anticipation Notes Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, Covenanting To Issue A General Obligation Bond Of Florence County, South Carolina Sufficient To Make Payment Of Said Bond Anticipation Note, To Provide For The Payment Thereof, And Other Matters Relating Thereto.

VII. APPEARANCES:

No Appearances Were Requested Or Scheduled At The Time Of Publication Of The Agenda.

VIII. COMMITTEE REPORTS:

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

Administration & Finance

(Chairman Schofield, Councilmen Culberson, Mumford, and Dorriety)

November 2013

July 17, 2014

July 17, 2014

September 18, 2014

Capital Project Sales Tax

Ordinance No. 03-2013/14 – Procurement Code

Ordinance No. 04-2013/14 – Road Paving Procedures

Greenwood Manned Convenience Center (MCC) Site

Public Services & County Planning

(Councilman Poston/Chair, Councilmen Kirby and Caudle)

June 2008

November 21, 2013

Museum

Landings

Justice & Public Safety
(Councilman Mumford/Chair, Councilmen Bradley and Springs)

Litter

Education, Recreation, Health & Welfare
(Councilman Culberson/Chair, Councilmen Poston and Caudle)

July 17, 2014 *Miracle League of Florence County*

Agriculture, Forestry, Military Affairs & Intergovernmental Relations
(Councilman Bradley/Chair, Councilmen Dorriety and Springs)

January 17, 2013 *City-County Conference Committee*

IX. RESOLUTIONS/PROCLAMATIONS:

RESOLUTION OF RECOGNITION

[27]

A Resolution Of Recognition For Royall Elementary School For Earning The Blue Ribbon School Award For Educational Excellence.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. ORDINANCE NO. 07-2014/15

[29]

An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) General Obligation Bond Anticipation Notes Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, Covenanting To Issue A General Obligation Bond Of Florence County, South Carolina Sufficient To Make Payment Of Said Bond Anticipation Note, To Provide For The Payment Thereof, And Other Matters Relating Thereto.

B. SECOND READING

1. **ORDINANCE NO. 21-2013/14 – DEFERRAL** [43]
An Ordinance To Amend The Boundaries Of The Hannah-Salem-Friendfield Fire Protection District In Florence County, South Carolina, To Approve The Annual Levy And Collection Of Ad Valorem Taxes For The Operation And Maintenance Thereof, To Approve The Issuance Of General Obligation Bonds On Behalf Of The District, And Other Matters Relating Thereto.

2. **ORDINANCE NO. 24-2013/14 – DEFERRAL** [45]
An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council District Five And Six Bounded By Freedom Boulevard, National Cemetery Road, Francis Marion Road, Wickerwood Road, Flowers Road, Pamplico Highway, South Vance Drive, Furches Avenue, And The Westernmost Boundary Of Council District Six That Connects Furches Avenue And Freedom Boulevard, Florence, SC From Unzoned To The Following Zoning Designations Of R-1, R-2, And R-3A, Single-Family Residential District, B-1, Limited Business District, B-2, Convenience Business District And B-3, General Commercial District; Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.

3. **ORDINANCE NO. 04-2014/15 DEFERRAL** [48]
An Ordinance To Amend The Florence County Code Of Ordinances Chapter 27, Public Roads And Ways To Establish Procedures For Road Paving Program; And Other Matters Related Thereto.

4. **ORDINANCE NO. 06-2014/15** [50]
An Ordinance To Amend The Florence County Code, Chapter 30, Zoning Ordinance, Article 1. Establishment, Purpose, Rules For The Interpretation Of Zoning Districts, And Zoning Annexed Property, Section 30-4. – Adoption Of Flood Hazard Area Maps, Article II. – Zoning District Regulations, Division 4. – FH Flood Hazard District, And Article X. – Definitions; And Other Matters Related Thereto.
(Planning Commission Approved 6 to 0)

C. INTRODUCTION

1. ORDINANCE NO. 08-2014/15

[201]

An Ordinance Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designations For Properties In Florence County Located In Florence Bounded By I-95, W. Lucas St., N. Cashua Dr., And W. Sumter St., More Specifically Shown On Tax Map Number 00121, Block 01, Parcel 040, Tax Map Numbers 00122, Block 01, Parcels 031-034, 037, 039, 068, 077, 079-080, 086, 089-090, 092, 103-105, 110, 113, 117, 119-120, 126, 138, 141-142, 144-166, 168-170, 172, 180, 213-217, 224-227, 241, 246, 250, 252-255, 260-263, Tax Map Numbers 01211, Block 01, Parcels 029, 031-033, 042-044, 046-052, 054-056, 084-085, 088-089, 092, 100 And 119 To Commercial Growth And Preservation And Tax Map Numbers 00122-01-059, 114, 245, 258 To Industrial Growth And Preservation; And Other Matters Related Thereto.
*(Planning Commission **Approved** 7 to 0)(Council District 3)*

2. ORDINANCE NO. 09-2014/15

[212]

An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council District Three Bounded By I-95, W. Lucas St., N. Cashua Dr., And W. Sumter St., More Specifically Shown On Tax Map Number 00121, Block 01, Parcel 040, Tax Map Number 00122, Block 01, Parcels 031-035, 037, 039, 064, 067-068, 070, 074-075, 077, 079-080, 082, 086-087, 089-090, 092-093, 100, 102-105, 108-110, 112-113, 117, 119-120, 122, 124-126, 138-142, 144-166, 168-173, 175-176, 180, 183-185, 208-217, 224-227, 241, 246, 249-250, 252-255, 259-263, 271, Tax Map Number 01211, Block 01, Parcels 029, 031-052, 054-056, 067-070, 072, 075, 084-085, 088-089, 091-092, 094, 096-100, 102-104, 119 To B-3, General Commercial District, Tax Map Number 01211, Block 01, Parcels 008-009, 011-024, 076-077, 117-118 To R-3A, Single Family Residential District, Tax Map Number 01211, Block 01, Parcels 007, 025-028, 078, 081, 095 To RU-1, Rural Community District And Tax Map Number 00122, Block 01, Parcels 036, 059-060, 091, 099, 114, 181, 238, 242, 245, 258, 273, 336 To B-5, Office And Light Industrial District; Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.
*(Planning Commission **Approved** 7 to 0)(Council District 3)*

3. ORDINANCE NO. 10-2014/15

[231]

An Ordinance To Amend The Florence County Code, Chapter 30 – Zoning Ordinance, Section 30-264. Responsibility Of Administrative Official, Section 30-293. Board Of Zoning Appeals.; And Other Matters Related Thereto.
*(Planning Commission **Approved** 7 to 0)*

4. **ORDINANCE NO. 11-2014/15 *By Title Only*** [242]
An Ordinance Authorizing The Award, Execution, And Delivery Of A Performance Contract For Energy And Utility Conservation Measures By Florence County, South Carolina; Authorizing The Award, Execution, And Delivery Of A Lease Purchase Agreement By Florence County, South Carolina In A Principal Amount Of Not Exceeding \$8,000,000, Relating To Such Performance Contract; Authorizing The Execution Of Other Necessary Documents And Papers; And Other Matters Relating Thereto.

5. **ORDINANCE NO. 12-2014/15 *By Title Only*** [248]
An Ordinance Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Florence County And Project Cowgirl, Whereby Florence County Will Enter Into A Fee-In-Lieu Of Tax Arrangement With Project Cowgirl, And Providing For Payment By Project Cowgirl Of Certain Fees-In-Lieu Of Ad Valorem Taxes; And Other Matters Relating Thereto.

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

1. **MONTHLY FINANCIAL REPORTS** [250]
Monthly Financial Reports Were Provided To Council For Fiscal Year 2015 Through August 31, 2014 As An Item For The Record.

2. **PURCHASE OF PROPERTY** [267]
Approve The Purchase Of Property Located At 221 West Sumter Street, Florence, Tax Map Number 00122-01-035, In The Amount Of \$36,000 Plus Closing Costs, For The Construction Of An EMS Substation And Authorize The County Administrator To Execute The Appropriate Documents Pending County Attorney Review.

B. EMERGENCY MANAGEMENT/PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

[272]

Declare The Analog Radio System Radios, Components And Parts As Surplus Property As It Is Replaced And Authorize Disposal By The Means Most Advantageous To The County.

C. INFORMATION TECHNOLOGY/PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

[273]

Declare Various Computer Equipment As Surplus Property And Authorize Disposal By The Means Most Advantageous To The County.

XIII. OTHER BUSINESS:

A. UTILITY

SPAULDING HEIGHTS

[282]

Approve The Expenditure Of Up To \$90,000 From Council District 7 Utility Funding Allocation For The Expansion Of The Spaulding Heights Community Building.

B. INFRASTRUCTURE/UTILITY

1. PEE DEE COALITION

[283]

Approve The Expenditure Of Up To \$36,500 From Council Districts' Infrastructure/Utility Funding Allocations (Approximately \$4,056 From Each District) For Building Improvements And Repairs, Equipment Purchases, And Security Upgrades For The Pee Dee Coalition.

2. SARDIS-TIMMONSVILLE FIRE DEPARTMENT

[286]

Approve The Expenditure In An Amount Not To Exceed \$45,000 From Council Districts 4, 8, and 9 Infrastructure/Utility Funding Allocations (Approximately \$15,000 From Each District) To Assist The Sardis-Timmons ville Fire Department With The Purchase Of Extrication Equipment.

C. UTILITY/ROAD SYSTEM MAINTENANCE FEE (RSMF)

RESURFACING ROADS

[291]

Approve The Expenditure Of Up To \$347,450.25 From Council District 6 Utility/RSMF Funding Allocations To Pay For The Resurfacing Of Justine Drive, College Lake Drive, Kirby Farm Drive, Marion Green Road, Milling And Resurfacing Of Cypress Bend And Full Depth Patching And Resurfacing Of Fleetwood Drive and Welch Drive.

XIV. EXECUTIVE SESSION:

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

- Contractual Matter

XV. INACTIVE AGENDA:

XVI. ADJOURN:

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the September 18, 2014 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, SEPTEMBER 18, 2014, 6:00 P.M., THE BEAN
MARKET, 111 HENRY STREET, LAKE CITY, SOUTH CAROLINA**

PRESENT:

James T. Schofield, Chairman
Waymon Mumford, Vice Chairman
Mitchell Kirby, Secretary-Chaplain
Russell W. Culberson, Council Member
Roger M. Poston, Council Member
Kent C. Caudle, Council Member
Willard Dorriety, Jr., Council Member
Jason M. Springs, Council Member
K. G. Rusty Smith, Jr., County Administrator
D. Malloy McEachin, Jr., County Attorney
Connie Y. Haselden, Clerk to Council

ABSENT:

Alphonso Bradley, Council Member

ALSO PRESENT:

Arthur C. Gregg, Jr., Public Works Director
Kevin V. Yokim, Finance Director
Suzanne S. King, Administrative Services Director
Ryon Watkins, EMS Director
Jonathan B. Graham, III, Planning Director
Samuel K. Brockington, Jr., Fire/Rescue Services Coordinator
Morning News Staffwriter

A notice of the regular meeting of the Florence County Council appeared in the September 17, 2014 edition of the **MORNING NEWS**. In compliance with the Freedom of Information Act, copies of the meeting Agenda and Proposed Additions to the Agenda were provided to members of the media, members of the public requesting copies, posted in the lobby of the County Complex, provided for posting at the Doctors Bruce and Lee Foundation Public Library, all branch libraries, and on the County's website (www.florenceco.org).

Chairman Schofield called the meeting to order. Secretary/Chaplain Kirby provided the invocation and Vice Chairman Mumford led the Pledge of Allegiance to the American Flag. Chairman Schofield welcomed everyone attending the meeting.

APPROVAL OF MINUTES:

Councilman Kirby made a motion Council Approve The Minutes Of The August 21, 2014 Regular Meeting And The September 4, 2014 Special Called Meeting Of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

No Public Hearings Were Scheduled Or Held.

APPEARANCES:

No Appearances Were Requested Or Scheduled.

COMMITTEE REPORTS:

There Were No Committee Reports.

RESOLUTIONS/PROCLAMATIONS:

RESOLUTION NO. 08-2014/15

The Clerk published the title of Resolution No. 08-2014/15: A Resolution To Rename Lafayette Drive As Shown On Florence County Tax Map No. 00449, Block 05, Parcels 061, 062, And 067 To Makepeace Drive, And Other Matters Related Thereto. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Poston seconded the motion, which was approved unanimously.

RESOLUTION NO. 09-2014/15

The Clerk published the title of Resolution No. 09-2014/15: A Resolution Ratifying The Provision Of County Grants To Ruiz Food Products, Inc. And RG4 Holding Co., LLC In Connection With An Economic Development Project In Florence County, South Carolina. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Springs seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Kirby.

ORDINANCES IN POSITION:

ORDINANCE NO. 02-2014/15 – THIRD READING

The Clerk published the title of Ordinance No. 02-2014/15: An Ordinance To Rezone Properties Owned By City Of Florence And Timmons ville Rescue Squad Located At 401 E. Main Street, Timmons ville, As Shown On Florence County Tax Map No. 70012, Block 20, Parcels 002 & 001; Consisting Of Approximately 2.56 Acres From R-3, Single-Family Residential District To B-4, Central Commercial District; And Other Matters Related Thereto. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 03-2014/15 – THIRD READING

The Clerk published the title of Ordinance No. 03-2014/15: An Ordinance To Re-Establish And Revise Florence County Procurement Policies And Procedures As Chapter 11.5; Delete All Conflicting Sections Of The Code; And Other Matters Relating Thereto. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Springs seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Mumford.

ORDINANCE NO. 21-2013/14 – SECOND READING DEFERRED

Chairman Schofield stated second reading of Ordinance No. 21-2013/14 was deferred: An Ordinance To Amend The Boundaries Of The Hannah-Salem-Friendfield Fire Protection District In Florence County, South Carolina, To Approve The Annual Levy And Collection Of Ad Valorem Taxes For The Operation And Maintenance Thereof, To Approve The Issuance Of General Obligation Bonds On Behalf Of The District, And Other Matters Related Thereto.

ORDINANCE NO. 24-2013/14 – SECOND READING DEFERRED

Chairman Schofield stated second reading of Ordinance No. 24-2013/14 was deferred: An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council District Five And Six Bounded By Freedom Boulevard, National Cemetery Road, Francis Marion Road, Wickerwood Road, Flowers Road, Pamplico Highway, South Vance Drive, Furches Avenue, And The Westernmost Boundary Of Council District Six That Connects Furches Avenue And Freedom Boulevard, Florence, SC From Unzoned To The Following Zoning Designations Of R-1, R-2, And R-3A, Single-Family Residential District, B-1, Limited Business District, B-2, Convenience Business District And B-3, General Commercial District; Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.

ORDINANCE NO. 04-2014/15 – SECOND READING DEFERRED

The Chairman stated Council was asked to defer second reading of Ordinance No. 04-2014/15: An Ordinance To Amend The Florence County Code Of Ordinances Chapter 27, Public Roads And Ways To Establish Procedures For Road Paving Program; And Other Matters Related Thereto.

ORDINANCE NO. 05-2014/15 – SECOND READING

The Clerk published the title of Ordinance No. 05-2014/15: An Ordinance To Amend Ordinance No. 01-2014/15 In Order To Increase The Millage Rates Previously Levied For Fire Protection Services And Other Matters Related Thereto. Councilman Caudle made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion. Councilman Poston made a motion to Amend Ordinance No. 05-2014/15 To Remove The Florence Fire District Millage Of 3.5 Mills. Councilman Culberson seconded the motion, which was approved unanimously. Second reading of the Ordinance as amended was approved with a six (6) to two (2) vote. Voting in the affirmative were Chairman Schofield and Councilmen Culberson, Poston, Mumford, Caudle and Springs. Voting 'No' were Councilmen Kirby and Dorriety.

Councilman Kirby stated the way the tax would affect his area, the millage would go from 15 mills to 27 point something and the whole thing was like a snowball with West Florence pulling out. He said Sardis-Timmons ville was opting to stay in rather than pull out, but he had a hard time voting for the tax increase for his area.

Councilman Springs stated that before Council voted on this matter he thought it was important that everyone know why it was occurring. He stated, "When I came on Council just about a year and a half ago, Council had just received an extensive study on how to deal with the problems we face delivering fire service to the unincorporated areas of our

County, which the County is responsible. This comprehensive plan, which began in October 2012, addressed our goals of providing better fiscal control, equitable taxation for all citizens, and adequate funding for all departments to meet state and national standards. But more importantly, it was to provide funding for adequate response for everyone in Florence County. This Council developed a plan of action and worked diligently with all seven departments under our purview. As was expected, the road was rough in the beginning but a consensus was built among the chiefs and actions were taken by Council to create a unified fire protection district with equal taxation to all citizens and adequate fire protection, while implementing strict fiscal control. After completing numerous meetings, public hearings, and the passage of ordinances, we were ready to move forward on July 1st. Keep in mind there are approximately 80,000 people within this unified protection district, including 25,000 within the West Florence area. However, a small group of citizens decided that they did not want to pay their fair share and they convinced a member of the House of Representatives to introduce legislation to create a special purpose district in the West Florence area. In order for the Legislature to do this, they had to take on a very small portion of Darlington County, which included a mile and a half of right-of-way on I-95 and three parcels of land on McIver Road, which encompassed one voter. They have attempted to create the creation of this district with South Lynches Fire Department, but these two are two very distinct circumstances. First, in the early 1980s the leadership of South Lynches approached Florence County Council to find a resolution to inadequate funding and Florence County was unable to produce a solution. Secondly, the northern end of Williamsburg County, which encompasses around 2,600 citizens did not have organized fire protection but had traditionally been served by the old Lake City Rural Fire Department based on a contract subscription basis. These boundary lines were established based off an old Farmers Telephone '389' exchange. When the Delegation was approached to find a solution to the financial problems in lower Florence County and upper Williamsburg County, the Delegation met with Williamsburg County Council who passed a Resolution that states "*Williamsburg County requests that the County Delegation set up a special tax district for the purposes of assessing taxes for this district.*" Secondly, based off the minutes of the July 21, 1983 Florence County Council meeting (which I was not at, by the way), the meeting minutes show where discussion was held on the creation of South Lynches Fire Department with Senator Tom Smith who said that he would only approve of this district when County Council supported it; therefore he wanted to know what County Council's feelings were on the pending legislation. I find it interesting, Roger, that your father had the opportunity to vote on this matter and he was one of those in the majority who voted for it. This Council has not had the opportunity afforded by Representative Lowe or others to discuss this matter, but rather his legislation was hastily created without consideration for what is in the best interest of the majority of citizens in the consolidated fire district. Clearly this was an attempt to circumvent the law to cater to a small group of citizens who simply don't want to pay their fair share. Simply put, those who live in some of the most affluent areas of our County have asked to not contribute to the well-being of the remainder of the district; a great deal of which are poor. As I read through the legal action which we have filed with West Florence Fire District this week, I see that it is clear that this attempt was; first, to create a district illegally by taking in such a small portion of Darlington County; secondly, as an attempt to raise the operational funding for West Florence Fire District by

circumventing Act 388, which limits the growth of all taxing authorities in South Carolina; and, third, possibly the most disturbing action, is the attempt to create special legislation in opposition to Home Rule and could ultimately lead to damaging all counties powers to protect their citizens. Just think of the ramifications if this action is left unchecked. Imagine if they also decided that they didn't want to contribute towards County-wide law enforcement or recreation. Owners of some of the most valuable property in the County could essentially secede from our County. This has State-wide implications and could be disastrous if allowed to proceed unchecked. One year ago we were faced with a lawsuit to stop our capital sales tax plan, it cost us considerable amount of funding, but we won this lawsuit five to zero in the Supreme Court proving that we were doing the right thing for our citizens and could very well be one of the greatest opportunities we created for our County. Once again, our Council has to be faced with this because of outside action; we have to make a serious decision to protect all of the citizens of Florence County. While I only represent 2,400 people in the consolidated district, I feel they deserve the same good fire protection and a fair cost to all citizens that we are responsible to protect. At the Citadel I was taught the principles of duty, honor and respect, and that is a driving force for me in my commitment to see that we take the best possible action to fulfill our duty to represent and protect all citizens of Florence County. It is with a heavy heart that I must vote to move forward with what we feel to be a temporary millage increase to allow us to fund these departments at the necessary levels while we await the Court's decision. Many of us feel certain that the Court will decide with the citizens of Florence County, but we cannot be certain how long this process will take. Therefore the interim millage must be placed on unified fire district and we expect that we will reduce the millage once the Court's rule in our favor."

ORDINANCE NO. 06-2014/15 – INTRODUCED BY TITLE ONLY

The Clerk published the title and the Chairman declared Ordinance No. 06-2014/15 Introduced By Title Only: An Ordinance To Amend The Florence County Code, Chapter 30, Zoning Ordinance, Article I. Establishment, Purpose, Rules For The Interpretation Of Zoning Districts, And Zoning Annexed Property. Section 30-4. – Adoption Of Flood Hazard Area Maps, Article II. – Zoning District Regulations, Division 4. – FH Flood Hazard District, And Article X. – Definitions; And Other Matters Related Thereto.

ORDINANCE NO. 07-2014/15 – INTRODUCED BY TITLE ONLY

The Clerk published the title and the Chairman declared Ordinance No. 07-2014/15 Introduced By Title Only: An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) General Obligation Bond Anticipation Notes Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, Covenanting To Issue A General Obligation Bond Of Florence County, South Carolina Sufficient To Make Payment Of Said Bond Anticipation Note, To Provide The Payment Thereof, And Other Matters Relating Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

LIBRARY BOARD OF TRUSTEES

Councilman Kirby made a motion Council Appoint Patricia Hyman To The Florence County Library Board, representing Council District 4 with appropriate expiration term. Councilman Mumford seconded the motion, which was approved unanimously.

PLANNING COMMISSION

Councilman Dorriety made a motion Council Re-Appoint Linda Borgman To The Florence County Planning Commission, representing Council District 9 with appropriate expiration term. Councilman Mumford seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

ADMINISTRATION

GREENWOOD MANNED CONVENIENCE CENTER (MCC) SITE

At The Request Of Council, County Administrator K. G. Rusty Smith, Jr. Provided A Brief Update On the Status Of The Greenwood MCC Site. Mr. Smith stated that at the August 21, 2014 meeting he provided a briefing and felt it prudent to revisit the issue to obtain new direction from Council as to the path forward. He said several items must be addressed in order to move forward with the project. One was to identify and quantify the funding. Once that was accomplished the County would need to hire an engineer to complete the design work and go through the Planning Department to approve the specs, then bid out and hire a contractor for the project. Councilman Caudle made a motion that Council Direct The County Administrator To Move Forward With Plans On Manned Convenience Center Site Number 1. Councilman Springs seconded the motion. Councilman Kirby stated he knew Council discussed it one time but that he would like for the item to be placed in the Committee on Administration & Finance to determine the funding. Councilman Mumford concurred that since a funding source was not identified that the appropriate course of action would be to refer the item to the Committee on Administration & Finance. Chairman Schofield asked if that was in the form of a motion to amend the motion on the floor to refer the item to the Committee on Administration & Finance instead. Councilman Mumford confirmed that was his motion. Councilman Kirby seconded the motion, which was approved unanimously. Councilman Caudle stated he wanted to remind Council that the property was purchased nearly a year and a half ago, Public Works had done some work on the property and the County was only utilizing about one-fourth of what was purchased. Council previously agreed that since this was one of the oldest sites in the County, was the smallest site, and most ill-arranged, it needed to be done with haste. He asked that the Committee put this as one of the top priorities. The motion as amended was approved unanimously and a meeting was scheduled for September 25, 2014, immediately following the meeting of the Committee on Education, Recreation, Health & Welfare, which was immediately following the 8:00 a.m. Special Called Meeting of Council.

EMS/PROCUREMENT

AWARD BID NO. 09-14/15

Mr. Smith requested Council defer this item until additional information was received: Award Bid No. 09-14/15 For Electronic Patient Care Reporting System Service To Forte Holdings, Inc. Of El Dorando Hills, Ca In The Amount Of \$39,253.68 From Previously Approved Funds. There were no objections to the deferral.

HUMAN RESOURCES/PROCUREMENT

REQUEST FOR PROPOSAL (RFP) AWARD

Councilman Springs made a motion Council Award RFP No. 33-13/14 Healthcare/Benefits Consultant Services To Arthur J. Gallagher & Co. Of Mt. Pleasant, SC In The Amount Of \$50,000 (\$10,000 For A Feasibility Study And \$40,000 For The RFP Process Management And Evaluation Costs). Councilman Mumford seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Mumford. At the request of Councilman Kirby, Mr. Smith provided a brief summary of this item. Councilman Kirby stated employees were seeing their paychecks decrease due to increased healthcare costs and he hoped this would pay off for the employees in the long-run. Councilman Caudle stated he wanted to comment on the on-site health clinic. He was of the opinion that this was a great asset for Florence County and its employees.

LIBRARY/PROCUREMENT

AWARD BID NO. 02-14/15

Councilman Poston made a motion Council Award Bid No. 02-14/15 For The Johnsonville Library Parking Lot Improvements To Digging Deep Construction, LLC Of New Zion, SC In The Amount Of \$49,747.80 From Previously Approved Funds. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Poston.

PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Mumford made a motion Council Declare Five (5) Vehicles, Two (2) Ambulances, Two (2) Boats With Trailers, One (1) All-Terrain Vehicle, And One (1) Enclosed Trailer As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Caudle seconded the motion, which was approved unanimously.

DECLARATION OF SURPLUS PROPERTY

Councilman Caudle made a motion Council Declare Various Office Furniture, File Cabinets, and Frames As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Springs seconded the motion, which was approved unanimously.

PUBLIC WORKS/PROCUREMENT

AWARD BID NO. 05-14/15

Councilman Springs made a motion Council Award Bid No. 05-14/15 For Corrugated Galvanized Metal Pipes For Public Works To The Low Bidder Contech Engineered Solutions, LLC Of Raleigh, NC In The Amount Of \$59,994.95 From Previously Approved FY2014-2015 Funds. Councilman Caudle seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Kirby.

The following two items were additions to the Agenda:

ADMINISTRATION

DUKE ENERGY PROGRESS, INC. EASEMENT

Councilman Caudle made a motion Council Authorize The County Administrator To Execute An Easement To Duke Energy Progress, Inc. To Relocate Poles In Front Of Greenwood Park On Pamplico Highway Associated With The Highway 51 Widening Project. Councilman Kirby seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE/PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Mumford made a motion Council Declare Approximately Fifty-Two (52) Used M26 Tasers And Miscellaneous Equipment For The Tasers As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Springs seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

EBENEZER PARK

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$2,000 From Council Districts 4 and 9 Infrastructure Funding Allocations (\$1,000 From Each District) For Purchase And Installation Of A Water Fountain At Ebenezer Park. Councilman Dorriety seconded the motion, which was approved unanimously. Councilman Dorriety stated the reason the County had to take this action was due to vandalism.

PROSPECT BALLFIELD

Councilman Poston made a motion Council Approve The Expenditure Of Up To \$1,600 From Council District 2 Infrastructure Funding Allocation For Replacement Of Lighting At The Prospect Ballfield. Councilman Mumford seconded the motion, which was approved unanimously.

UTILITY

JOHNSONVILLE FIRE DEPARTMENT

Councilman Poston made a motion Council Approve The Expenditure Of Up To \$6,800 From Council District 2 Utility Funding Allocation For The Installation Of 1,000 Feet Of 1 ½" PVC Potable Water Lines And Necessary Taps, Meters And Check Valves To Provide Potable Water And 1,000 Feet Of 4" Public Service Piping To Provide Water For Two Hydrants On Bazen Trail From Highway 378 To The Kingsburg Fire Station Site. Councilman Culberson seconded the motion, which was approved unanimously.

INFRASTRUCTURE/UTILITY

FLORENCE VETERANS PARK

Councilman Springs made a motion Council Approve The Expenditure Of Up To \$8,000 From Council Districts' Infrastructure/Utility Funding Allocations (Approximately \$889 From Each District) For The Purchase Of Monuments And Commemorative Plaques For The U.S. Navy And Coastguard For The Florence Veterans Park. Councilman Dorriety seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Mumford.

HOWE SPRINGS FIRE DISTRICT

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$27,000 From Council Districts' Infrastructure/Utility Funding Allocations (Approximately \$3,000 From Each District) To Assist The Howe Springs Fire District With The Purchase Of 12 Full Sets Of Firefighter Turnout Gear. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Kirby.

The following item was an addition to the Agenda:

UTILITY

LAKE CITY FIRE DEPARTMENT

Councilman Springs made a motion Council Approve The Expenditure Of Up To \$10,220 From Council District I Utility Funding Allocation To Remove Broken Asphalt In Front Of The Apparatus Bays And Replace With Reinforced Concrete, And Seal And Strip The Entire Parking Area For The Lake City Fire Department. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Mumford.

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

COUNCIL MEETING ADJOURNED AT 6:34 P.M.


MITCHELL KIRBY
SECRETARY-CHAPLAIN

CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL

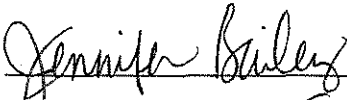
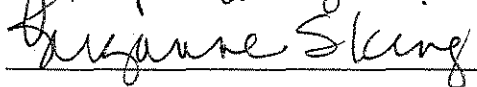
STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROXY

I hereby leave my voting proxy for Resolution No. 09-2014/15 (A Resolution Ratifying The Provision Of County Grants To Ruiz Food Products, Inc., And RF4 Holding Co., LLC In Connection With An Economic Development Project In Florence County, South Carolina), at the regular meeting of County Council on September 18, 2014, with County Council Member Mitchell Kirby. This proxy is for a "YES" vote on the question of Approval Of Resolution No. 09-2014/15.


Alphonso Bradley, Member
Florence County Council District 3

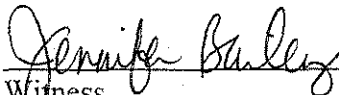
WITNESSES:

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Alphonso Bradley, sign and as his/her act and deed, deliver the within **PROXY**, and that deponent, with the other witness subscribed above, witnessed the execution thereof.


Witness

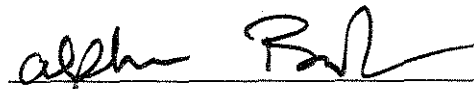
SWORN to before me this
17 day of Sept., 2014.


NOTARY PUBLIC (S.C.)
My Commission Expires 10-14-18


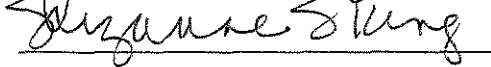
STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROXY

I hereby leave my voting proxy for Ordinance No. 03-2014/15 (An Ordinance To Re-Establish And Revise Florence County Procurement Policies And Procedures As Chapter 11.5; Delete All Conflicting Sections Of The Code; And Other Matters Relating Thereto), at the regular meeting of County Council on September 18, 2014, with County Council Member Waymon Mumford. This proxy is for a "YES" vote on the question of Approval Of Ordinance No. 03-2014/15.


Alphonso Bradley, Member
Florence County Council District 3

WITNESSES:

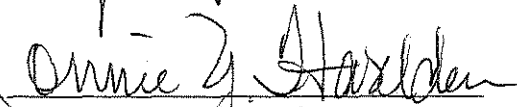
STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Alphonso Bradley, sign and as his/her act and deed, deliver the within **PROXY**, and that deponent, with the other witness subscribed above, witnessed the execution thereof.


Witness

SWORN to before me this
17 day of September, 2014.


NOTARY PUBLIC (S.C.)
My Commission Expires 10-14-18

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROXY

I hereby leave my voting proxy for Award RFP No. 33-13/14 (Healthcare/Benefits Consultant Services To Arthur J. Gallagher & Co. Of Mt. Pleasant, SC In The Amount Of \$50,000 (\$10,000 For A Feasibility Study And \$40,000 For The RFP Process Management And Evaluation Costs)), at the regular meeting of County Council on September 18, 2014, with County Council Member Waymon Munford This proxy is for a "YES" vote on the question of the Award of RFP No. 33-13/14 As Presented.

Alphonso Bradley
Alphonso Bradley, Member
Florence County Council District 3

WITNESSES:

Jennifer Bailey
Suzanne Skene

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Alphonso Bradley, sign and as his/her act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

Jennifer Bailey
Witness

SWORN to before me this
17th day of Sept., 2014.

Donnie J. Haselden
NOTARY PUBLIC (S.C.)
My Commission Expires 10-14-18

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROXY

I hereby leave my voting proxy for Award Bid No. 02-14/15 (For The Johnsonville Library Parking Lot Improvements To Digging Deep Construction, LLC Of New Zion, SC In The Amount Of \$49,747.80 From Previously Approved Funds), at the regular meeting of County Council on September 18, 2014, with County Council Member Roger Poodan. This proxy is for a "YES" vote on the question of the Award of Bid No. 02-14/15 As Presented.

Alphonso Bradley
Alphonso Bradley, Member
Florence County Council District 3

WITNESSES:

Jennifer Bailey
Suzanne Slone

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Alphonso Bradley, sign and as his/her act and deed, deliver the within **PROXY**, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

Jennifer Bailey
Witness

SWORN to before me this
17 day of Sept., 2014.

Donnie G. Haselden
NOTARY PUBLIC (S.C.)
My Commission Expires 10-14-18

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROXY

I hereby leave my voting proxy for Award Bid No. 05-14/15 (For Corrugated Galvanized Metal Pipes For Public Works To The Low Bidder Contech Engineered Solutions, LLC Of Raleigh, NC In The Amount Of \$59,994.95 From Previously Approved FY2014-2015 Funds), at the regular meeting of County Council on September 18, 2014, with County Council Member MITCHELL KIRBY. This proxy is for a "YES" vote on the question of the Award of Bid No. 05-14/15 As Presented.

Alphonso Bradley
Alphonso Bradley, Member
Florence County Council District 3

WITNESSES:

Jennifer Bailey
Suzanne Sking

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Alphonso Bradley, sign and as his/her act and deed, deliver the within **PROXY**, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

Jennifer Bailey
Witness

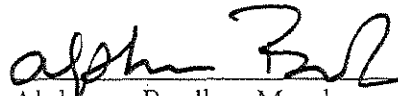
SWORN to before me this
17 day of Sept., 2014.

Annice G. Axelden
NOTARY PUBLIC (S.C.)
My Commission Expires 10-14-18

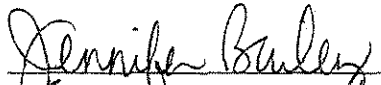
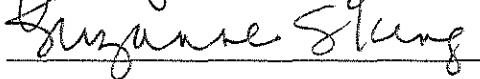
STATE OF SOUTH CAROLINA)
)
 COUNTY OF FLORENCE)

PROXY

I hereby leave my voting proxy for Florence Veterans Park (For Expenditure Of Up To \$8,000 From Council Districts' Infrastructure/Utility Funding Allocations (Approximately \$889 From Each District) For The Purchase Of Monuments And Commemorative Plaques For The U.S. Navy And Coastguard For The Florence Veterans Park), at the regular meeting of County Council on September 18, 2014, with County Council Member Wayne Mumford. This proxy is for a "YES" vote on the question of Approval Of The Expenditure.


 Alphonso Bradley, Member
 Florence County Council District 3

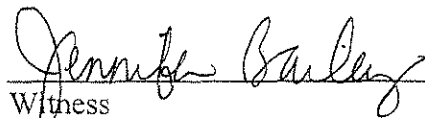
WITNESSES:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF FLORENCE)


PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Alphonso Bradley, sign and as his/her act and deed, deliver the within **PROXY**, and that deponent, with the other witness subscribed above, witnessed the execution thereof.


 Witness

SWORN to before me this

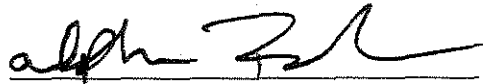
17th day of Sept., 2014


 NOTARY PUBLIC (S.C.)
 My Commission Expires 10-14-18



STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROXY

I hereby leave my voting proxy for Lake City Fire Department (For The Expenditure Of Up To \$10,220 From Council District 1 Utility Funding Allocation To Remove Broken Asphalt In Front Of The Apparatus Bays And Replace With Reinforced Concrete, And Seal And Strip The Entire Parking Area For The Lake City Fire Department), at the regular meeting of County Council on September 18, 2014, with County Council Member Waymon Mumford. This proxy is for a "YES" vote on the question of Approval Of The Expenditure.


Alphonso Bradley, Member
Florence County Council District 3

WITNESSES:

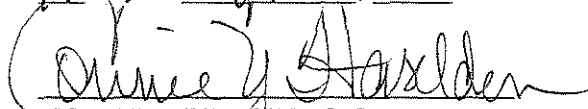
STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Alphonso Bradley, sign and as his/her act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.


Witness

SWORN to before me this
17th day of Sept, 2014.


NOTARY PUBLIC (S.C.)
My Commission Expires 10-14-18

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the September 25, 2014 Special Called meeting of County Council.

OPTIONS:

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

ATTACHMENTS:

Copy of proposed Minutes.

**SPECIAL CALLED MEETING, SEPTEMBER 25, 2014, 8:00 A.M.,
ROOM 604, COUNTY COMPLEX, 180 N. IRBY STREET,
FLORENCE, SOUTH CAROLINA**

PRESENT:

James T. Schofield, Chairman
Waymon Mumford, Vice Chairman
Mitchell Kirby, Secretary-Chaplain
Russell W. Culberson, Council Member
Alphonso Bradley, Council Member
Roger M. Poston, Council Member
Kent C. Caudle, Council Member
Willard Dorriety, Jr., Council Member
K. G. Rusty Smith, Jr., County Administrator
Malloy McEachin, County Attorney
Connie Y. Haselden, Clerk to Council

ABSENT:

Jason M. Springs, Council Member

ALSO PRESENT:

Arthur C. Gregg, Jr., Public Works Director
Kevin V. Yokim, Finance Director
Ronnie Pridgen, Parks & Recreation Department Director
Morning News Staffwriter
Ken Baker, WMBF News Report

A notice of the Special Called meeting of the Florence County Council appeared in the September 24, 2014 edition of the **MORNING NEWS**. In compliance with the Freedom of Information Act, copies of the meeting Agenda were provided to members of the media, members of the public requesting copies, and posted in the lobby of the County Complex, the Doctors Bruce and Lee Foundation Public Library and all branch libraries, and on the County's website (www.florenceco.org).

Chairman Schofield called the meeting to order. Secretary-Chaplain Kirby provided the invocation and Vice Chairman Mumford led the Pledge of Allegiance to the American Flag. Chairman Schofield welcomed everyone attending the meeting.

PUBLIC HEARINGS:

ORDINANCE NO. 05-2014/15

The Clerk published the title and the Chairman opened public hearing for Ordinance No. 05-2014/15: An Ordinance To Amend Ordinance No. 01-2014/15 In Order To Increase The Millage Rates Previously Levied For Fire Protection Services And Other Matters Related Thereto. There being no signatures on the sign-in sheet, the Chairman declared the public hearing closed.

ORDINANCES IN POSITION:

ORDINANCE NO. 05-2014/15 – THIRD READING

The Clerk published the title of Ordinance No. 05-2014/15: An Ordinance To Amend Ordinance No. 01-2014/15 In Order To Increase The Millage Rates Previously Levied For Fire Protection Services And Other Matters Related Thereto. Councilman Caudle made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved with a six (6) to three (3) vote. Voting in the affirmative were Chairman Schofield, Councilmen Culberson, Poston, Mumford, Caudle, and Springs (by Proxy presented by Councilman Poston). Voting 'No' were Councilmen Kirby, Bradley and Dorriety.

ORDINANCE NO. 07-2014/15 – SECOND READING

The Clerk published the title of Ordinance No. 07-2014/15: An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) General Obligation Bond Anticipation Notes Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, Covenantee To Issue A General Obligation Bond Of Florence County, South Carolina Sufficient To Make Payment Of Said Bond Anticipation Note, To Provide For The Payment Thereof, And Other Matters Relating Thereto. Councilman Poston made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved with an eight (8) to one (1) vote. Voting in the affirmative were Chairman Schofield, Councilmen Culberson, Poston, Bradley, Mumford, Kirby, Caudle, and Springs (by Proxy presented by Councilman Poston). Voting 'No' was Councilman Dorriety.

Councilman Dorriety asked what was included in the \$3.5 million. County Administrator K. G. Rusty Smith, Jr. responded that there were four outstanding general obligation bonds and several non-bond obligations that were payable from the districts that were dissolved and there was currently no legal basis for the County Auditor to do that.

In response to a question from Councilman Caudle, the Chairman confirmed that this was the funding for the debt obligations for the fire districts. Chairman Schofield provided the following as a breakdown of the legal fees the County had incurred with regard to the fire districts:

- Fees for the fire district reorganization \$409.50
- Fees of the Floyd/Crawford lawsuit \$28,340.00
- Fees for the suit challenging Act 183 expected to be about \$120,000.00
- Fees for the issuance of the Bond Anticipation Note \$20,000.00

Mr. Smith asked if the County Auditor needed to be notified to remove the 3.5 mills from the tax notice. The Chairman confirmed that he did.

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

COUNCIL MEETING ADJOURNED AT 8:09 A.M.

**MITCHELL KIRBY
SECRETARY-CHAPLAIN**

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

DRAFT

PUBLIC HEARING

September 25, 2014

Ordinance No. 05-2014/15

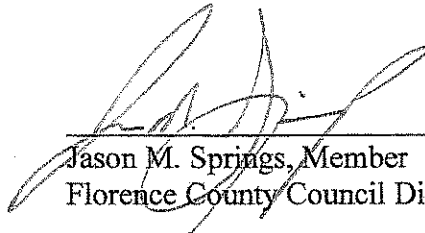
An Ordinance To Amend Ordinance No. 01-2014/15 In Order to Increase The Millage Rates Previously Levied For Fire Protection Services And Other Matters Related Thereto.

	NAME	ADDRESS	PHONE NUMBER
1.			
2.			
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11.			
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18.			

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

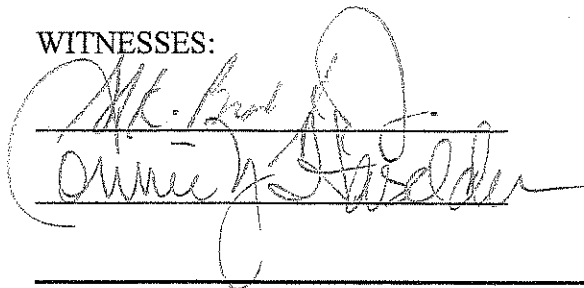
PROXY

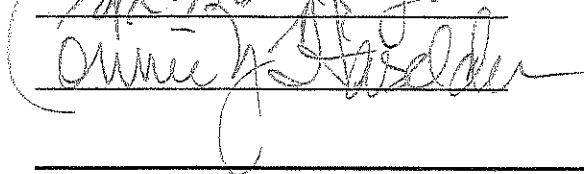
I hereby leave my voting proxy for Ordinance No. 05-2014/15 (An Ordinance To Amend Ordinance No. 01-2014/15 In Order to Increase The Millage Rates Previously Levied For Fire Protection Services And Other Matters Related Thereto), at the special called meeting of County Council on September 25, 2014, with County Council Member Roger Poston. This proxy is for a "YES" vote on the question of Approval Of Ordinance No. 05-2014/15.



Jason M. Springs, Member
Florence County Council District 1

WITNESSES:

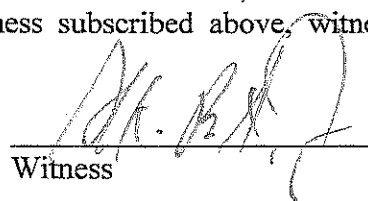




STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

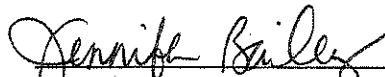
PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Jason M. Springs, sign and as his/her act and deed, deliver the within **PROXY**, and that deponent, with the other witness subscribed above, witnessed the execution thereof.



Witness

SWORN to before me this
23rd day of September, 2014.



NOTARY PUBLIC (S.C.)
My Commission Expires June 11, 2024

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

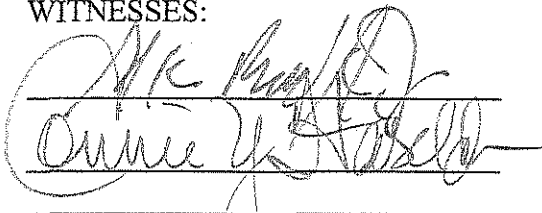
PROXY

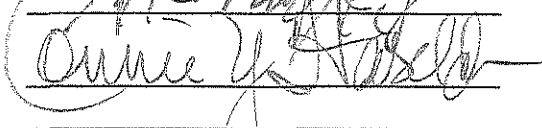
I hereby leave my voting proxy for Ordinance No. 07-2014/15 (An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) General Obligation Bond Anticipation Notes Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, Covenantee To Issue A General Obligation Bond Of The Florence County Fire District Sufficient To Make Payment Of Said Bond Anticipation Note, To Provide For The Payment Thereof, And Other Matters Relating Thereto), at the special called meeting of County Council on September 25, 2014, with County Council Member Roger Poston. This proxy is for a "YES" vote on the question of Approval Of Ordinance No. 07-2014/15.



Jason M. Springs, Member
Florence County Council District 1

WITNESSES:

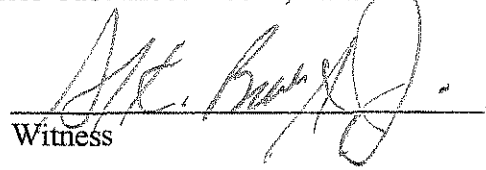




STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)


PROBATE

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s)he saw the within named Jason M. Springs, sign and as his/her act and deed, deliver the within **PROXY**, and that deponent, with the other witness subscribed above, witnessed the execution thereof.



Witness

SWORN to before me this
23rd day of September, 2014.



NOTARY PUBLIC (S.C.)
My Commission Expires June 11, 2024

FLORENCE COUNTY COUNCIL

October 16, 2014

AGENDA ITEM: Public Hearings

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

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

A. ORDINANCE NO. 06-2014/15

An Ordinance To Amend The Florence County Code, Chapter 30, Zoning Ordinance, Article 1. Establishment, Purpose, Rules For The Interpretation Of Zoning Districts, And Zoning Annexed Property, Section 30-4. – Adoption Of Flood Hazard Area Maps, Article II. – Zoning District Regulations, Division 4. – FH Flood Hazard District, And Article X. – Definitions; And Other Matters Related Thereto.

B. ORDINANCE NO. 07-2014/15

An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) General Obligation Bond Anticipation Notes Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, Covenantee To Issue A General Obligation Bond Of Florence County, South Carolina Sufficient To Make Payment Of Said Bond Anticipation Note, To Provide For The Payment Thereof, And Other Matters Relating Thereto.

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Resolution of Recognition
Royall Elementary School

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

A Resolution Of Recognition For Royall Elementary School For Earning The Blue Ribbon School Award For Educational Excellence.

OPTIONS:

1. *(Recommended)* Approve the Proposed Resolution.
2. Provide an alternate directive.

ATTACHMENTS:

1. A copy of proposed Resolution.

STATE OF SOUTH CAROLINA)

COUNTY OF FLORENCE)

RESOLUTION OF RECOGNITION

WHEREAS, Florence County Council seeks to recognize those exemplary organizations and individuals within Florence County that are instrumental in the enhancement of the quality of life for the residents of our County; and

WHEREAS, our school system is the backbone of our democracy, providing young people with the tools needed to maintain our nation's precious values of freedom, civility and equality, thereby equipping our youth with both practical skills and broader intellectual abilities, thus giving them hope for, and access to, a productive future; and

WHEREAS, **Royall Elementary School** is one of five South Carolina schools named as a National Blue Ribbon Award Winner, thus raising the bar for the standard of excellence in education for Florence County; and

WHEREAS, the National Blue Ribbon Schools Program recognizes and identifies outstanding schools, celebrating some of the most skilled and effective educators in the country and is one of the most prestigious Awards presented annually; and,

WHEREAS, **Royall Elementary** met the eligibility criteria for Exemplary High Performing Schools based on the fact that all students in the school tested in the top 15 percent of all schools in the State in the most recent year in both reading and mathematics; and,

WHEREAS, **Royal Elementary School** has consistently performed as an outstanding leader in educational excellence, earning such other awards as Palmetto Gold and Silver Awards, Closing the Achievement Gap "Silver" and "Gold" Recognition, Florence School District I Battle of the Books, Reading Renaissance Master School, Governor's Honor Roll of Reading School, the First School in South Carolina to Achieve Reading Renaissance Master School Status (2003), Red Carpet School Award, SC Department of Education Writing Hall of Fame School, SCASA School of Promise, Accelerated Reader Model School, SERVE Promising Practices in Reading Literacy in Southeastern Schools, Exemplary Art Program Award-National Art Education Association, National IRA Award-Exemplary Reading Program for South Carolina, just to name a few; and,

WHEREAS, **Principal Julie C. Smith** deserves recognition and appreciation for her extraordinary leadership with 31 years of dedicated service at Royall Elementary and 41 years of service as an educator; and,

WHEREAS, the students, teachers, parents and administrators of Royall Elementary School are to be commended for their hard work and dedication in making it a model school for others to emulate.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of Florence County, the Florence County Council that **ROYALL ELEMENTARY SCHOOL** deserves recognition for its meritorious achievement in earning the coveted National Blue Ribbon Award.

Presented this 16th day of October 2014.

THE FLORENCE COUNTY COUNCIL:

James T. Schofield, Chairman

Kent C. Caudle, District 5

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Ordinance No. 07-2014/15
Third Reading

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

(An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) General Obligation Bond Anticipation Notes Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, Covenanting To Issue A General Obligation Bond Of Florence County, South Carolina Sufficient To Make Payment Of Said Bond Anticipation Note, To Provide For The Payment Thereof, And Other Matters Relating Thereto.)

POINTS TO CONSIDER:

1. There are currently four outstanding bonds for three former fire districts with a total principal balance outstanding of approximately \$2,500,000 which could be refinanced with a new bond.
2. Two other fire departments have loans outstanding totaling approximately \$400,000 which could also be refinanced by this same bond.
3. Due to the need to process and mail property tax notices in the next few weeks, there is insufficient time to issue a new general obligation bond to refinance these existing bonds and loans. However, a bond anticipation note can be issued, which would then need to be paid off by a new general obligation bond to be issued some time during 2015.
4. By issuing this bond anticipation note, it will be unnecessary to levy millage for debt service on the existing fire district bonds this year; thereby reducing the current estimated millage levy by 3.5 mills.
5. It may also be possible to fund potential litigation expenses from this bond as well.

FUNDING FACTORS:

If this bond anticipation note is approved and issued, the estimated 3.5 mill levy for fire district debt service will be unnecessary this year. This note would then be repaid with the issuance of a general obligation bond for which millage would need to be levied beginning next year.

OPTIONS:

1. *(Recommended)* Approve Third Reading of Ordinance No. 07-2014/15.
2. Provide An Alternate Directive.

ATTACHMENT:

1. Copy of Ordinance No. 07-2014/15

Sponsor(s)	: Finance	I, _____,
First Reading	: September 18, 2014	Council Clerk, certify that this
Committee Referral	: N/A	Ordinance was advertised for
Committee Consideration Date	: N/A	Public Hearing on _____.
Committee Recommendation	: N/A	
Second Reading	: September 25, 2014	
Public Hearing	: October 16, 2014	
Third Reading	: October 16, 2014	
Effective Date	: Immediately	

ORDINANCE NO. 07-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

AN ORDINANCE

TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) GENERAL OBLIGATION BOND ANTICIPATION NOTES OF FLORENCE COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, COVENANTING TO ISSUE A GENERAL OBLIGATION BOND OF FLORENCE COUNTY, SOUTH CAROLINA, SUFFICIENT TO MAKE PAYMENT OF SAID BOND ANTICIPATION NOTE, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO.

DRAFT

BE IT ORDAINED BY FLORENCE COUNTY COUNCIL, AS FOLLOWS:

SECTION 1. Findings and Determinations. The County Council ("County Council") of Florence County, South Carolina (the "County"), hereby finds and determines:

- (g) By actions previously taken, County Council has approved and the County has issued the following general obligation bonds of the County for the purpose of acquiring, constructing, furnishing, and equipping fire protection facilities in the County (together, the "Fire District Bonds"): (1) the original principal amount \$600,000 General Obligation Bond, Series 2008 (Windy Hill Fire District) currently outstanding in the principal amount of \$400,093.60; (2) the original principal amount \$1,500,000 General Obligation Bond, Series 2009 (Howe Springs Fire District) currently outstanding in the principal amount of \$809,570.03; (3) the original principal amount \$900,000 General Obligation Bond, Series 2010 (Windy Hill / Olanta Rural Volunteer Fire District) currently outstanding in the principal amount of \$568,065.92; and (4) the original principal amount \$925,000 General Obligation Bond, Series 2012 (Johnsonville Rural Fire District) currently outstanding in the principal amount of \$755,050.96. Each of the Fire District Bonds is a general obligation bond of the County, but is payable from a levy in the county fire district for which it was levied (such county fire districts, together the "Prior County Fire Districts"). The total principal amount outstanding on the Fire District Bonds is approximately \$2,532,780.51.
- (h) By Ordinance No. 17-2013/14, County Council abolished the Prior County Fire Districts and simultaneously, by Ordinance No. 18-2013/14 created the Florence County Fire District (the "District"), which comprises the same area as the Prior County Fire Districts.
- (i) Because the Prior County Fire Districts have been dissolved, it has been the intention of County Council upon advice of administration and the County's attorneys to consolidate the Fire District Bonds into a single general obligation bond of the County, supported by the County's full faith, credit, and taxing power, but payable from an annual levy of taxes within the District.
- (j) Presently, the boundaries of the District are unclear as a portion of the District, after its creation, was placed in a special purpose district created by the South Carolina General Assembly under Act 183 of 2014. Such action is being challenged in the South Carolina Court of Common Pleas, and it is anticipated that the question of the exact boundaries of the District will be resolved by the summer of 2015.
- (k) Pending such resolution, and because, and in light of the fact that some action must be taken to restructure the Fire District Bonds in light of the dissolution of the Prior County Fire Districts, County Council has determined to issue a bond anticipation note of the County (the "BAN") pursuant to Title 11, Chapter 17, Code of Laws of South Carolina, 1976, as amended (the "BAN Act"). Proceeds of the BAN will be used to pay the costs of: (1) refunding the Fire District Bonds (the "Refunding"); (2) purchasing certain equipment for use by the fire departments located within the District (the "Equipment"); and (3) paying costs of issuance associated with the BAN. The estimated cost of the Refunding and the Equipment, inclusive of the costs incident to the financing thereof, will not exceed \$3,500,000.

- (f) In order to defray on a permanent basis the cost of the Refunding and the Equipment, County Council has determined to issue a general obligation bond (the "Bond") in the principal amount of not exceeding \$3,560,000 and to use the proceeds of the sale of the Bond and investment earnings thereon to pay all principal of and interest on the BAN when due and costs related to the issuance of the Bond.
- (g) The BAN Act provides that a county that is authorized to issue bonds, may, pending the sale and issuance thereof, borrow in anticipation of the proceeds of the bonds and execute a note or notes therefor expressed to mature not later than one year from the date of issuance.
- (h) Pursuant to the provisions of Sections 4-15-10 to 4-15-180, inclusive, Code of Laws of South Carolina, 1976, as amended, and supplemented by Title 11, Chapter 27, Code of Laws of South Carolina, 1976, as amended (collectively, the "Enabling Act"), the County is authorized to issue a general obligation bond for any 'authorized purpose' as therein defined. The application of the proceeds of bonds to pay all principal of and interest on the BAN constitutes a valid use of the proceeds of bonds issued under the County Bond Act.
- (i) Pursuant to the provisions of paragraph (7) of Section 14 of Article X of the South Carolina Constitution, the County is authorized to issue general obligation debt which is incurred pursuant to and within the limitations described by Section 12 of Article X. In accordance with the provisions of Section 12 of Article X and pursuant to the provisions of this Ordinance, the Council shall impose upon all taxable property within the District an ad valorem tax in an amount designed to provide debt service on the Bond authorized hereby. Further, pursuant to the provisions of Section 12 and paragraph (7) of §14 of Article X, debt incurred in this manner is not to be considered in computing the general obligation debt limit of the County.

SECTION 2. Authorization and Details of Bond. Pursuant to the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued a general obligation bond of the County in a total amount not exceeding \$3,560,000 to obtain funds to defray the cost of the Refunding and the Equipment, including any financial and legal fees relating thereto and other incidental costs of issuing the Bond. The Bond shall be designated with appropriate series description and designation and be further described as a bond of Florence County, South Carolina (Florence County Fire District).

The full faith, credit, resources and taxing power of the County will be pledged irrevocably for the payment of the principal of and interest on the Bond as it shall mature and to create such sinking fund as may be necessary therefor. Pursuant to the provisions of Section 12 of Article X of the Constitution there shall be levied an ad valorem tax upon all taxable property located within the District sufficient to pay the principal of and interest on the Bond as the same become due and to create such sinking fund as may be necessary therefor.

The Auditor and Treasurer of Florence County shall be notified as to the delivery of and payment for the Bond and are hereby directed to levy and collect, respectively, on all taxable property in the District, a tax, without limit, sufficient to pay the principal of and interest on the Bond as it shall mature and to create such sinking fund as may be necessary therefor.

The details of the Bond, including denominations, date, maturities, provisions for payment and redemption, designation of paying agent/registrar, provisions respecting transfer, assignment, and related registration matters, the form of the Bond, provisions for notice and sale and all other such matters shall be

determined by County Council in a subsequent ordinance. The Bond may also be issued as part of another issue, if such be convenient.

SECTION 3. Authority to Issue Bond Anticipation Note. The County Administrator of the County (the "County Administrator") is hereby authorized to cause the issuance of a bond anticipation note ("BAN"), in principal amount not exceeding \$3,500,000 pursuant to the BAN Act in anticipation of the issuance of the Bond in the form and manner set forth herein. The County Administrator is further authorized to determine the exact principal amount of the BAN, not to exceed \$3,500,000, based on the amounts required for the Refunding and the Equipment and to pay all costs of issuance associated with the BAN, and to determine any other details of the BAN not inconsistent with the terms of this Ordinance.

SECTION 4. Exemption from State Taxes. Both the principal of and interest on the BAN shall be exempt, in accordance with the provisions of Section 12-2-50 of the Code of Laws of South Carolina, 1976, as amended, from all State, county, municipal, school district and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes, but the interest on the BAN may be included for certain franchise fees or taxes.

SECTION 5. Details of Bond Anticipation Note. The BAN shall be subject to the following particulars:

(a) The BAN shall be dated and bear interest from the date of delivery thereof, payable upon the stated maturity thereof and shall mature on such date as selected by the County Administrator, without privilege of prepayment. The BAN may be issued in denominations of \$5,000 and integral multiples thereof.

(b) The principal of and interest on the BAN shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. The Clerk to County Council shall serve as the Registrar for the BAN (the "Registrar") and the County Treasurer shall serve as the Paying Agent for the BAN (the "Paying Agent") at their respective Administrative Office and shall fulfill all functions of the Registrar and Paying Agent, respectively, enumerated herein.

(c) The County Administrator is authorized to request proposals for the purchase of the BAN, which shall be solicited from at least three (3) institutions selected by the County Administrator. Unless all bids are rejected, the County Administrator is authorized to award BAN issued pursuant to this Section 5(c) to the bidder offering to purchase the BAN at the lowest net interest cost to the County at a price of not less than par. Net interest cost will be determined by deducting premium, if any, from the interest on the BAN, until maturity.

(d) The form of the BAN and registration provisions to be endorsed thereon shall be substantially as set forth in Exhibit A attached hereto and made a part of this Ordinance.

SECTION 6. Registration, Transfer and Exchange.

(a) The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar, for the registration and transfer of the BAN. Upon presentation at its office for such purpose the Registrar shall register or transfer, or cause to be registered or transferred, on such registry books, the BAN under such reasonable regulations as the Registrar may prescribe.

(b) The BAN shall be transferable only upon the registry books of the County, which shall be kept for such purpose at the principal office of the Registrar, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such BAN the Registrar on behalf of the County shall issue in the name of the transferee a new fully registered BAN, of the same aggregate principal amount, interest rate and maturity as the surrendered BAN. Any BAN surrendered in exchange for a new registered BAN pursuant to this Section shall be cancelled by the Registrar.

(c) The County and the Registrar may deem or treat the person in whose name any fully registered BAN shall be registered upon the registry books as the absolute owner of such BAN, whether such BAN shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such BAN and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such BAN to the extent of the sum or sums so paid, and neither the County nor the Registrar shall be affected by any notice to the contrary. In all cases in which the privilege of transferring BAN is exercised, the County shall execute and the Registrar shall authenticate and deliver BAN in accordance with the provisions of this Ordinance. Neither the County nor the Registrar shall be obliged to make any such transfer of BAN during the period beginning on the day after the fifteenth calendar day preceding the maturity date thereof.

(d) In the event the BAN is mutilated, lost, stolen or destroyed, the County may execute a new BAN of like date and denomination as that mutilated, lost, stolen or destroyed; provided that, in the case of any mutilated BAN, such mutilated BAN shall first be surrendered to the County, and in the case of any lost, stolen or destroyed BAN, there shall be first furnished to the County evidence of such loss, theft or destruction satisfactory to the County, together with indemnity satisfactory to it; provided that, in the case of a holder which is a bank or insurance company, the agreement of such bank or insurance company to indemnify shall be sufficient. In the event any such BAN shall have matured, instead of issuing a duplicate BAN, the County may pay the same without surrender thereof. The County may charge the holder of such BAN with its reasonable fees and expenses in this connection.

SECTION 7. Security for Bond Anticipation Note; Application of Proceeds of Bond. For the payment of the principal of and interest on the BAN as the same shall fall due, the full faith, credit, resources and taxing power of the County shall be pledged. In addition thereto, so much of the principal proceeds of the Bond when issued shall and is hereby directed to be applied, to the extent necessary, to the payment of the BAN; and, further, the County covenants and irrevocably pledges to effect the issuance of the Bond or, in the alternative, to refund or renew the outstanding BAN in order that the proceeds thereof will be sufficient to provide for the retirement of any BAN issued pursuant hereto.

SECTION 8. Deposit and Use of Proceeds. The proceeds derived from the sale of the BAN issued pursuant to this Ordinance shall be paid to the Treasurer of Florence County, South Carolina, to be deposited in a BAN Account Fund for the County, and shall be expended and made use of by County Council as follows: first, to pay the costs of the Refunding; second, to pay costs of issuance associated with the BAN, and third to pay the cost of acquiring the Equipment. Pending the use of proceeds of the BAN, the same shall be invested and reinvested by the Treasurer of Florence County, South Carolina, in such investments as are authorized by the Code of Laws of South Carolina, 1976, as amended, with respect to funds of the counties of the State of South Carolina. All earnings from such investments shall be applied, at the direction of County Council, either (1) to defray the cost of the Equipment, or (2) to pay costs of issuance associated with the BAN, or (3) to pay interest on the BAN.

SECTION 9. Defeasance. If the BAN issued pursuant to this Ordinance, and all interest thereon, shall have been paid and discharged, then the obligations of the County under this Ordinance and all other rights granted hereby shall cease and determine. The BAN shall be deemed to have been paid and discharged within the meaning of this Section under each of the following circumstances, viz.:

(1) The Paying Agent or a financial institution appointed as escrow agent (the "Escrow Agent"), shall hold, at the stated maturity of the BAN, in trust and irrevocably appropriated thereto, sufficient moneys for the payment of the principal of and interest thereon; or

(2) If default in the payment of the principal of the BAN or the interest thereon shall have occurred, and thereafter tender of such payment shall have been made, and at such time as the Paying Agent or Escrow Agent shall hold in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payment; or

(3) If the County shall elect to provide for the payment of the BAN prior to its stated maturity and shall have deposited with the Paying Agent or Escrow Agent in an irrevocable trust moneys which shall be sufficient, or Government Obligations, the principal of and interest on which when due will provide moneys, which together with moneys, if any, deposited with said Paying Agent or Escrow Agent at the same time, shall be sufficient to pay when due the principal of and interest due and to become due on the BAN on their maturity date.

Neither the Government Obligations nor moneys deposited with the Paying Agent or Escrow Agent pursuant to this Section nor the principal or interest payments thereon shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal of and interest on said BAN; provided that any cash received from such principal or interest payments on Government Obligations deposited with the Paying Agent, if not then needed for such purpose, shall, to the extent practicable, be invested and reinvested in Government Obligations maturing at times and in amounts sufficient to pay when due the principal of and interest to become due on said BAN on the maturity date thereof, and interest earned from such reinvestments not required for the payment of the principal of and interest on the BAN may be paid over to the County, as received by the Paying Agent or Escrow Agent, free and clear of any trust, lien or pledge.

For purposes of this Section 9, "Government Obligations" means and includes direct general obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which is fully and unconditionally guaranteed by the United States of America.

SECTION 10. Tax Law Matters.

(a) The County will comply with all requirements of the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the tax-exempt status of the BAN, including without limitation, (i) the requirement to file the information report 8038-G with the Internal Revenue Service, and (ii) the requirement to rebate certain arbitrage earnings to the United States Government pursuant to Section 148(f) of the Code. In this connection, the County covenants to execute any and all agreements, certificates and other documentation as it may be advised by bond counsel will enable it to comply with this Section, and such agreements, certificates and other documentation may be executed by an Authorized Officer and by the County Administrator of the County or either of them.

Careful consideration has been given to the time in which the expenditures of proceeds of the BAN will be made. It has been ascertained that all of the money received from the proceeds of the BAN will be expended within the limitations imposed by Section 148 of the Code and the Treasury regulations promulgated pursuant thereto. Accordingly, County Council will be able to certify upon reasonable grounds that the BAN herein provided for is not an "arbitrage bond" within the meaning of Section 148 of the Code.

(b) The County hereby represents and covenants that it will not take any action which will, or fail to take any action which failure will, cause interest on the BAN to become includable in the gross income of the Holder thereof for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of BAN. Without limiting the generality of the foregoing, the County represents and covenants that:

(i) All property provided by the net proceeds of the BAN will be owned by the County in accordance with the rules governing the ownership of property for federal income tax purposes.

(ii) The County shall not permit the proceeds of the BAN or any facility financed with the proceeds of the BAN to be used in any manner that would result in (a) ten percent (10%) or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any natural person or in any activity carried on by a person other than a natural person other than a governmental unit as provided in Section 141(b) of the Code, or (b) five percent (5%) or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code.

(iii) The County is not a party to nor will it enter into any contracts with any person for the use or management of any facility provided with the proceeds of the BAN that do not conform to the guidelines set forth in Revenue Procedure 97-13.

(iv) The County will not sell or lease any property provided by the BAN to any person unless it obtains the opinion of nationally recognized bond counsel that such lease or sale will not affect the tax exemption of the BAN.

(v) The BAN will not be federally guaranteed within the meaning of Section 149(b) of the Code. The County has not entered into any leases or sales or service contract with any federal government agency and will not enter into any such leases or contracts unless it obtains the opinion of nationally recognized bond counsel that such action will not affect the tax exemption of the BAN.

SECTION 11. Authorization to Issue Bond for Purposes of Section 4-9-1220 of South Carolina Code.

Inasmuch as the determination to issue the Bond is required for the issuance of the BAN and is security therefor, this ordinance is intended by County Council to be an "ordinance authorizing the issuance of bonds," enacted as of the date of third reading hereof, for purposes of Section 4-9-1220 of the Code of Laws of South Carolina, 1976, as amended.

SECTION 12. Miscellaneous.

(a) County Council hereby authorizes the Chairman of County Council, the County Administrator, the Clerk to County Council, and the County Finance Director to execute such documents and instruments as may be necessary to effect the issuance of the BAN; including, but limited to, such documents as are required by Section 10 hereof.

(b) All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the BAN are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

ATTEST:

Connie Y. Haselden, Council Clerk

James T. Schofield, Chairman

Approved as to Form and Content
D. Malloy McEachin, Jr. County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

DRAFT

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
FLORENCE COUNTY, SOUTH CAROLINA
BOND ANTICIPATION NOTE OF 2014

No. 1

\$ _____

INTEREST RATE MATURITY DATE ORIGINAL ISSUE DATE CUSIP
_____ %

Registered Holder:

Principal Amount: _____ DOLLARS

KNOW ALL MEN BY THESE PRESENTS that Florence County, South Carolina (the "County") hereby acknowledges itself indebted, and for value received promises to pay to the registered owner hereof (named above) or registered assigns, the principal sum of _____ DOLLARS at the Administrative Office of the County in the County of Florence, State of South Carolina on the ____ day of _____, 2014, and to pay interest, calculated on the basis of a 360-day year consisting of twelve 30-day months, on said principal sum from the date hereof, at the rate of ____ per centum (____%) per annum, payable upon the maturity of this note. This note is not subject to prepayment prior to its maturity.

Both the principal of and interest on this note are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

This note is a Bond Anticipation Note (the "Note"), issued by the County, pursuant to the authorization of Title 11, Chapter 17, Code of Laws of South Carolina, 1976, as amended, in anticipation of the receipt of the proceeds to be derived from the \$ _____ general obligation bond of the County (the "Bond") to be issued pursuant to and in accordance with the provisions of the Constitution and Laws of the State of South Carolina including Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended; Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended; Title 4, Chapter 15 of the Code of Laws of South Carolina 1976, as amended, and an ordinance duly adopted by County Council of the County on _____, 2014 (the "Ordinance"). The full faith, credit, resources and taxing power of the County and the proceeds to be derived from the sale of Bond are pledged for the payment of the principal of and interest on this Note.

This Note and the interest hereon are exempt from all state, county, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes, but the interest hereon may be included as franchise fees or taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and Statutes of the State of South Carolina to exist, to happen, or to be performed precedent to or in the issuance of this Note do exist, have happened, and have been performed in regular and due time, form and manner, and the amount of this Note does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, Florence County, South Carolina, has caused this Note to be manually signed by the Chairman of County Council, attested by the manual signature of the Clerk to County Council, the seal of the County impressed hereon and this Note to be dated the ____ day of _____, 2014.

FLORENCE COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
Chairman, Florence County Council

Attest:

Clerk to County Council

DRAFT

CERTIFICATE OF AUTHENTICATION

This Bond is the Bond of the issue described in the within mentioned Ordinance.

REGISTRAR

By: _____
Authorized Officer

Date of Authentication: _____, 20____

The following abbreviations, when used in the inscription on the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN ENT - as tenants by the entireties

(Cust) Custodian _____
(Minor)

JT TEN - as joint tenants with right of survivorship and not as tenants in common

under Uniform Gifts to Minors Act _____
(state)

Additional abbreviations may also be used though not in above list.

DRAFT

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Transferee)

the within bond and does hereby irrevocably constitute and appoint

attorney

to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

(Authorized Officer)

(Signature must be guaranteed by a participant in the Securities Transfer Agents Medallion Program (STAMP))

Notice: The signature to the assignment must correspond with the name of the registered owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

DRAFT

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk to Florence County Council ("County Council"), the governing body of Florence County, South Carolina, DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by the County Council on October 16, 2014. The Ordinance was read at three public meetings of the County Council on three separate days, September 18, 2014, September 25, 2014, and October 16, 2014. An interval of at least seven days occurred between second and third readings of the Ordinance. At each such meeting, a quorum of the County Council was present and remained present throughout the meeting.

The meetings held on September 18, 2014 and October 16, 2014 were regular meetings of the County Council, for which notice had been previously given pursuant to and in conformity with Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the "Freedom of Information Act").

The meeting held on September 25, 2014 was a duly called special meeting of County Council, for which notice had been previously given pursuant to and in conformity with the Freedom of Information Act. As required by the Freedom of Information Act, notice of said meeting (including the date, time, and place thereof, as well as an agenda) was posted prominently in the administrative offices of the County at least twenty-four hours prior to said meeting. In addition, the local news media and all persons requesting notification of meetings of the County Council were notified of the time, date, and place of such meeting, and were provided with a copy of the agenda therefore at least twenty-four hours in advance of such meeting.

The original of the Ordinance is duly entered in the permanent records of County Council, in my custody as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Florence County, South Carolina, this _____ day of October, 2014.

(SEAL)

Clerk to Florence County Council,
Florence County, South Carolina

FLORENCE COUNTY COUNCIL

October 16, 2014

AGENDA ITEM: Ordinance No. 21-2013/14 – Second Reading Deferral

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

An Ordinance To Amend The Boundaries Of The Hannah-Salem-Friendfield Fire Protection District In Florence County, South Carolina, To Approve The Annual Levy And Collection Of Ad Valorem Taxes For The Operation And Maintenance Thereof, To Approve The Issuance Of General Obligation Bonds On Behalf Of The District, And Other Matters Relating Thereto.

OPTIONS:

1. *(Recommended)* Defer Second Reading of Ordinance No. 21-2013/14.
2. Provide an alternate directive.

ATTACHMENTS:

Copy Of Title Of Proposed Ordinance No. 21-2013/14

Sponsor(s) : County Council
Introduction : March 20, 2014
Committee Referral :
Committee Consideration Date :
Committee Recommendation :
Public Hearing :
Second Reading :
Third Reading :
Effective Date :

I, _____,
Council Clerk, certify that the
ad for a Public Hearing on this
Ordinance ran on: _____.

ORDINANCE NO. 21-2013/14

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend The Boundaries Of The Hannah-Salem-Friendfield Fire Protection District In Florence County, South Carolina, To Approve The Annual Levy And Collection Of Ad Valorem Taxes For The Operation And Maintenance Thereof, To Approve The Issuance Of General Obligation Bonds On Behalf Of The District, And Other Matters Relating Thereto.]

DRAFT

FLORENCE COUNTY COUNCIL MEETING
Thursday, October 16, 2014

AGENDA ITEM: Ordinance No. 24-2013/14
Second Reading Deferral

DEPARTMENT: Planning and Building Inspections / 

ISSUE UNDER CONSIDERATION:

[An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council Districts Five And Six Bounded By Freedom Boulevard, National Cemetery Road, Francis Marion Road, Wickerwood Road, Flowers Road, Pamplico Highway, South Vance Drive, Furches Avenue, And The Westernmost Boundary Of Council District Six That Connects Furches Avenue And Freedom Boulevard, Florence, SC From Unzoned To The Following Zoning Designations Of R-1, R-2 And R-3A, Single-Family Residential District, B-1, Limited Business District, B-2, Convenience Business District And B-3, General Commercial District; Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.]

OPTIONS:

1. *(Recommended)* Defer Second Reading of Ordinance No. 24-2013/14.
2. Provide alternate direction.

ATTACHMENTS:

1. Ordinance No. 24-2013/14 (title only)
2. Location Map

Sponsor(s)	:	Planning Commission	I, _____
Planning Commission Consideration	:		Council Clerk, certify that
Planning Commission Public Hearing	:		this Ordinance was
Planning Commission Action	:		advertised for Public Hearing
First Reading/Introduction	:	April 17, 2014	on _____
Committee Referral	:	N/A	
County Council Public Hearing	:		
Second Reading	:		
Third Reading	:		
Effective Date	:	Immediately	

ORDINANCE NO. 24-2013/14






COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

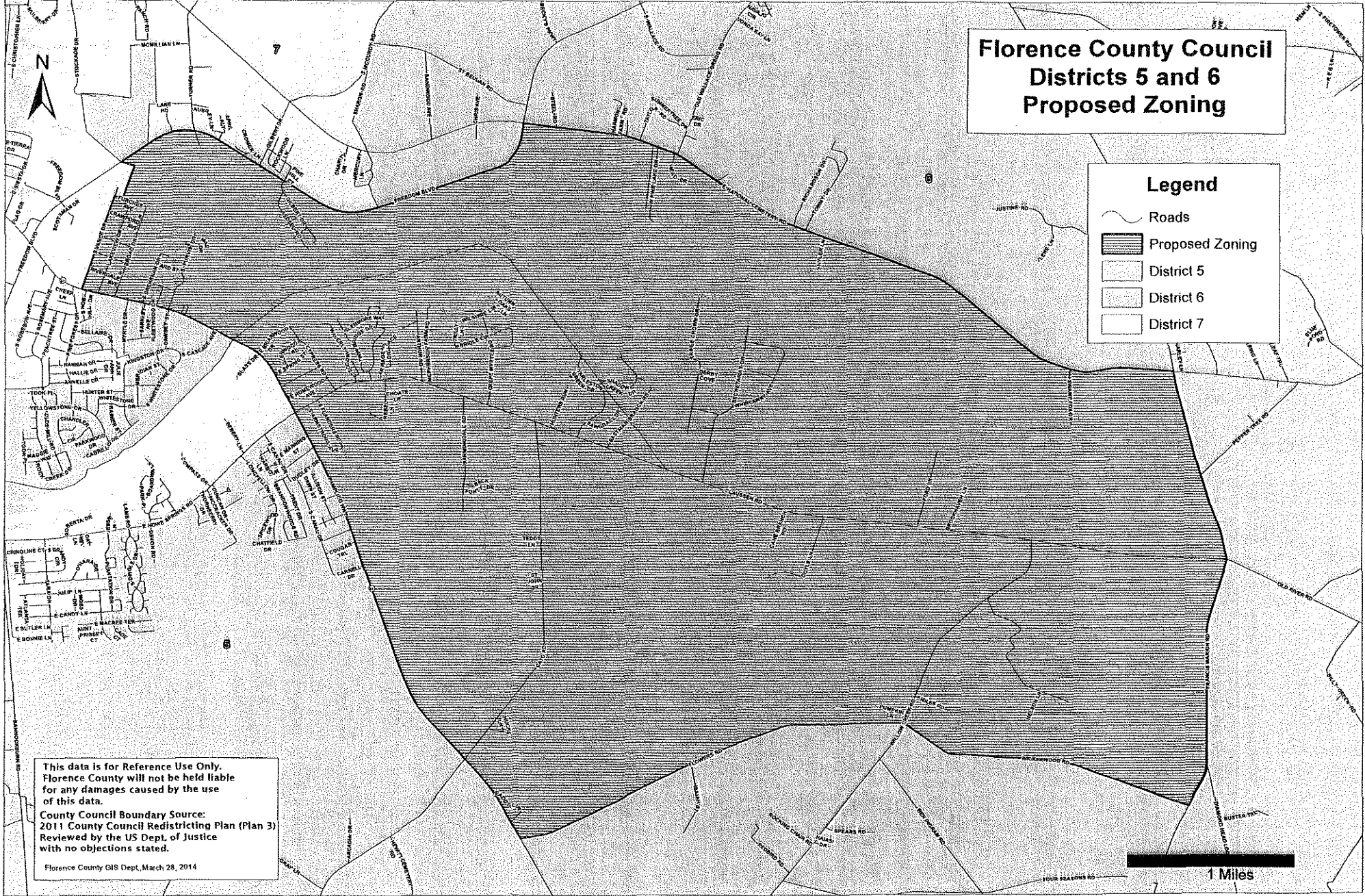
[An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council Districts Five And Six Bounded By Freedom Boulevard, National Cemetery Road, Francis Marion Road, Wickerwood Road, Flowers Road, Pamplico Highway, South Vance Drive, Furches Avenue, And The Westernmost Boundary Of Council District Six That Connects Furches Avenue And Freedom Boulevard, Florence, SC From Unzoned To The Following Zoning Designations Of R-1, R-2 And R-3A, Single-Family Residential District, B-1, Limited Business District, B-2, Convenience Business District And B-3, General Commercial District; Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.]

DRAFT

Florence County Council Districts 5 and 6 Proposed Zoning

Legend

-  Roads
-  Proposed Zoning
-  District 5
-  District 6
-  District 7



This data is for Reference Use Only.
 Florence County will not be held liable
 for any damages caused by the use
 of this data.

County Council Boundary Source:
 2011 County Council Redistricting Plan (Plan 3)
 Reviewed by the US Dept. of Justice
 with no objections stated.

Florence County GIS Dept, March 28, 2014

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Ordinance No. 04-2014/15 - Second Reading Deferral

DEPARTMENT: Administration/County Attorney/Public Works

ISSUE UNDER CONSIDERATION:

(An Ordinance To Amend The Florence County Code Of Ordinances Chapter 27, Public Roads And Ways To Establish Procedures For Road Paving Program; And Other Matters Relating Thereto).

OPTIONS:

1. *(Recommended)* Defer Second Reading of Ordinance No. 04-2014/15.
2. Provide An Alternate Directive.

ATTACHMENT:

Copy of Proposed Ordinance No. 04-2014/15 Title

Sponsor(s) : County Council
First Reading/Introduction : July 17, 2015
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing :
Second Reading :
Third Reading :
Effective Date : Immediately

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

ORDINANCE NO. 04-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Amend The Florence County Code Of Ordinances Chapter 27, Public Roads And Ways To Establish Procedures For Road Paving Program; And Other Matters Related Thereto.)

DRAFT

FLORENCE COUNTY COUNCIL MEETING

Thursday, October 16, 2014

AGENDA ITEM: Ordinance No. 06-2014/15
Second Reading

DEPARTMENT: Planning and Building Department



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend The Florence County Code, Chapter 30, Zoning Ordinance, Article 1. Establishment, Purpose, Rules for the Interpretation of Zoning Districts, and Zoning Annexed Property, Sec. 30-4. - Adoption of Flood Hazard Area Maps, Article II. - Zoning District Regulations, Division 4. - FH Flood Hazard District, and Article X. - Definitions; And Other Matters Related Thereto.] (*Planning Commission approved 6-0: All Council Districts*)

POINTS TO CONSIDER:

1. On December 16, 2004 the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issued a Flood Insurance Rate Map (FIRM) that identified the Special Flood hazard Areas (SFHAs) in Florence County.
2. On June 16, 2014 FEMA completed a re-evaluation of the Flood hazards in Florence County.
3. Because of the Flood Insurance Study re-evaluation Florence County must formally adopt the modified maps and update the current Floodplain Development Ordinance to meet the additional requirements imposed by FEMA.
4. Failure to adopt the new maps and modify the current ordinance to meet these requirements by December 16, 2014 will result in Florence County's suspension from the National Flood Insurance Program (NFIP).
5. The Planning Commission and Building Department staff has prepared the attached amendment to the Ordinance to ensure compliance with the Department of Homeland Security's Federal Emergency Management Agency (FEMA) additional requirements.

OPTIONS:

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

ATTACHMENTS:

1. Ordinance No. 06-2014/15 Existing w/Markup
2. Ordinance No. 06-2014/15 New Proposed
3. Staff report for PC#2014-05

Sponsor(s)	: Engineering Department	I, _____
Planning Commission Consideration	: August 26, 2014	Council Clerk, certify that this
Planning Commission Public Hearing	: August 26, 2014	Ordinance was advertised for
Planning Commission Action	: August 26, 2014 [Approved: 6-0]	Public Hearing on _____.
First Reading/Introduction	: September 18, 2014	
Committee Referral	: N/A	
County Council Public Hearing	:	
Second Reading	: October 16, 2014	
Third Reading	:	
Effective Date	: Immediately	

ORDINANCE NO. 06-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend The Florence County Code, Chapter 30, Zoning Ordinance, Article 1. Establishment, Purpose, Rules for the Interpretation of Zoning Districts, and Zoning Annexed Property, Sec. 30-4. - Adoption of Flood Hazard Area Maps, Article II. - Zoning District Regulations, Division 4. - FH Flood Hazard District, and Article X. – Definitions; And Other Matters Related Thereto.]

WHEREAS:

1. Chapter 30 – Zoning Ordinance was adopted into the Florence County Code of Ordinances on June 7, 2007; and
2. On June 16, 2014 FEMA completed a re-evaluation of the Flood hazards in Florence County; and
3. Failure to adopt the new maps and modify the current ordinance will result in Florence County’s suspension from the National Flood Insurance Program (NFIP); and
4. The Florence County Code of Ordinances must be maintained as compliant with the Department of Homeland Security’s Federal Emergency Management Agency requirements.

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

1. The Florence County Code, Chapter 30 - Zoning Ordinance, Article I. - Establishment, Purpose, Rules for the Interpretation of Zoning Districts, and Zoning Annexed Property, Sec. 30-4. - Adoption of flood hazard area maps, Article II. - Zoning District Regulations, Division 4. - FH Flood Hazard District, and Article X. - Definitions. The Text amendment shall read as follows:

Sec. 30-04. Adoption of flood hazard area maps.

Special flood hazard area maps have been prepared for Florence County and its incorporated areas by the Federal Emergency Management Agency in its Flood Insurance Study dated September 22, 1982. The accompanying maps and other supporting data are adopted by reference and declared to be part of the ordinance. The current special flood hazard maps that are adopted to use are dated December 16, ~~2004~~2014.

For all areas which come under the jurisdiction of Florence County, any special flood hazard areas identified by the Flood Insurance Study, dated December 16, ~~2004~~2014

for the unincorporated area of Florence County, with accompanying maps and other data, are adopted by reference.

DIVISION 4. FH FLOOD HAZARD DISTRICT

Flood hazard districts include (1) flood plains, (2) areas of shallow flooding, (3) areas of special flood hazard, and (4) floodways. The development of these areas, where shown on flood hazard boundary maps, issued by the Federal Emergency Management Agency (FEMA) for Florence County, may not occur where alternative locations exist due to the inherent hazards and risks involved. Before a building permit is issued, the applicant shall demonstrate on the plan submitted with the zoning compliance application that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. Where there is no alternative to a location in a flood hazard district, proposed development shall be regulated by the following.

Sec. 30-61. General development standards.

Sec. 30-62. Specific development standards.

Sec. 30-63. Warning and disclaimer of liability. Variance Procedures for Flood plain Development.

Sec. 30-64. Warning and disclaimer of liability.

30-65. Reserved.

Sec. 30-61. General development standards.

~~Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all development shall adhere to the following criteria;~~

- ~~(1) New construction or substantial improvements (shall) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydro-dynamic and hydrostatic loads, including the effects of buoyancy;~~
- ~~(2) New construction and changes of existing structures below the minimum first floor elevation shall be constructed with materials and utility equipment resistant to flood damage;~~
- ~~(3) New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;~~
- ~~(4) All heating and air conditioning equipment and components, all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent~~

~~water from entering or accumulating within the components during conditions of flooding;~~

- ~~(5) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;~~
- ~~(6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;~~
- ~~(7) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;~~
- ~~(8) On-site waste disposal systems shall be located and constructed to avoid impairment or contamination during flooding;~~
- ~~(9) Any alteration, repair, reconstruction, or improvement to a structure which is not in compliance with the provisions of this chapter, shall be undertaken only if it is not considered a substantial improvement.~~
- (a) *Development Permit:* Application for a development permit shall be made to the local administrator on forms furnished by him or her prior to any development activities. The development permit may include, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures; and the location of fill materials, storage areas, and drainage facilities. Specifically, the following information is required:
 - (1) A plot plan that shows the 100-year floodplain contour, or a statement that the entire lot is within the floodplain, must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Federal Emergency Management Agency or the floodplain identified pursuant to either the Duties and Responsibilities of the Local Administrators of Section 30-61.c or the Standards for Subdivision Proposals of Section 30-62.b.13 and the Standards for streams without Estimated Base Flood Elevations and/or Floodways of Section 30-62.c. The plot plan must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. The plot plan must show the floodway, if any, as identified by the Federal Emergency Management Agency or the floodway identified pursuant to either the duties or responsibilities of the local administrators of Section 30-61.c or the standards for subdivision proposals of Section 30-62.b.13 in conjunction with the standards for streams without estimated base flood elevations and/or floodways of 30-62.c.

- (2) Where base flood elevation data is provided as set forth in Section 30-04 or the duties and responsibilities of the local administrators of Section 30-61.c, the application for a development permit within the flood hazard area shall show:
- a. the elevation (in relation to mean sea level) of the lowest floor of all new and substantially improved structures, and
 - b. if the structure will be floodproofed in accordance with the non-residential construction requirements of Section 30-62.b.2, the elevation (in relation to mean sea level) to which the structure will be floodproofed.
- (3) Where Base Flood Elevation Data Is Not Provided. If no base flood elevation data is provided, as set forth in Section 30-04 or the duties and responsibilities of the local administrators of Section 30-61.c.11, then the provisions in the standards for streams without estimated base flood elevations and/or floodways of Section 30-62.c. must be met.
- (4) Alteration of Watercourse: Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and, a map showing the location of the proposed watercourse alteration or relocation.

(b) Certifications

- (1) Floodproofing Certification. When a structure is floodproofed, the applicant shall provide certification from a registered, professional engineer or architect that the non-residential, floodproofed structure meets the floodproofing criteria in the non-residential construction requirements of Section 30-62.b.2.
- (2) Certification During Construction. A lowest floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the local administrator a certification of the elevation of the lowest floor, or floodproofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. Any work done prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. The permit holder, immediately and prior to further progressive work being permitted to proceed, shall correct deficiencies detected by such review. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a

stop-work order for the project.

(3) As-built Certification. Upon completion of the development a registered professional engineer, land surveyor or architect, in accordance with SC law, shall certify according to the requirements of Section 30-61.b.1 and 2 that the development is built in accordance with the submitted plans and previous pre-development certifications.

(c) Duties and Responsibilities of the Local Administrator. Duties of the local administrator shall include, but not be limited to:

(1) Permit Review. Review all development permits to assure that the requirements of this ordinance have been satisfied.

(2) Requirement of Federal and/or state permits. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C 1334.

(3) Watercourse alterations

a. Notify adjacent communities and the South Carolina Department of Natural Resources, Land, Water and Conservation Districts Division, State Coordinator for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

b. In addition to the notifications required with watercourse alterations per Section 30-61.c.3a, written reports of maintenance records must be maintained to show that maintenance has been provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. This maintenance must consist of a comprehensive program of periodic inspections, and routine channel clearing and dredging, or other related functions. The assurance shall consist of a description of maintenance activities, frequency of performance, and the local official responsible for maintenance performance. Records shall be kept on file for FEMA inspection.

c. If the proposed project will impact the configuration of the watercourse, floodway, or base flood elevation for which a detailed Flood Insurance Study has been developed, the applicant shall apply for and must receive approval for a Conditional Letter of Map Revision with the Federal Emergency Management Agency prior to the start of actual construction.

d. Within 60 days of completion of an alteration of a watercourse, the applicant shall submit as-built certification, by a registered professional engineer, to the

Federal Emergency Management Agency.

- (4) Floodway encroachments. Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Section 30-62.b.5 are met.
- (5) Development Proposals. Require development proposals for proposed developments prior to signing off on and CLOMRs or LOMRs.
- (6) Adjoining Floodplains. Cooperate with neighboring communities with respect to the management of adjoining floodplains and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
- (7) Notifying Adjacent Communities. Notify adjacent communities prior to permitting substantial commercial developments and large subdivisions to be undertaken in areas of special flood hazard and/or flood-related erosion hazards.
- (8) Certification requirements
 - a. Obtain and review actual elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures, in accordance with Section 30-61.b.2 and 3.
 - b. Obtain the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been floodproofed, in accordance with the floodproofing certification outlined in Section 30-61.b.1.
 - c. When floodproofing is utilized for a non-residential structure, obtain certifications from a registered professional engineer or architect in accordance with the non-residential construction requirements outlined in Section 30-62.b.2.
- (9) Map Interpretation. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (10) Prevailing Authority. Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations for flood protection elevations (as found on an elevation profile, floodway data table, etc.) shall prevail. The correct information should be submitted to FEMA as per the map maintenance activity requirements outlined in Section 30-62.b.7.b.
- (11) Use Of Best Available Data. When base flood elevation data or floodway data has not been provided in accordance with Section 30-04, obtain, review, and reasonably utilize best available base flood elevation data and floodway data available from a federal, State, or other sources, including data developed pursuant to the standards

for subdivision proposals outlined in Section 30-62.b.13, in order to administer the provisions of this ordinance. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data from a federal, state, or other source. Data must be developed using hydraulic models meeting the minimum requirement of NFIP approved model. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.

- (12) *Special Flood hazard Area/topographic Boundaries Conflict.* When the exact location of boundaries of the areas special flood hazards conflict with the current, natural topography information at the site the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. The local administrator in the permit file will maintain a copy of the Letter of Map Amendment issued from FEMA.
- (13) *On-Site inspections.* Make on-site inspections of projects in accordance with the administrative procedures outlined in Section 30-61.d.
- (14) *Administrative Notices.* Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with the administrative procedures in Section 30-61.d.4
- (15) *Records Maintenance.* Maintain all records pertaining to the administration of this ordinance and make these records available for public inspection.
- (16) *Annexations and Detachments.* Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, within six (6) months, of any annexations or detachments that include special flood hazard areas. The community must incorporate applicable maps from surrounding jurisdictions into this ordinance within 90 days of date of the annexation.
- (17) *Federally Funded Development.* The President issued Executive Order 11988, Floodplain Management May 1977. E.O. 11988 directs federal agencies to assert a leadership role in reducing flood losses and losses to environmental values served by floodplains. Evidence of compliance with the executive order must be submitted as part of the permit review process.
- (18) *Substantial Damage Determination.* Perform an assessment of damage from any origin to the structure using FEMA's Residential Substantial Damage Estimator (RSDE) software to determine if the damage equals or exceeds 30 percent of the market value of the structure before the damage occurred.
- (19) *Substantial Improvement Determinations.* Perform an assessment of permit applications for improvements or repairs to be made to a building or structure equals or exceeds 30 percent of the market value of the structure before the improvement or repair is started. Cost of work counted for determining if and when substantial improvement to a structure occurs shall be cumulative for a period of five years. If

the improvement project is conducted in phases the total of all cost associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur. Methods of Market Value Determination. The market values shall be determined by one of the following methods:

- a. the current assessed building value as determined by the county's assessor's office or the value of an appraisal performed by a licensed appraiser at the expense of the owner; or,
- b. one or more certified appraisals from a registered professional licensed appraiser in accordance with the laws of South Carolina. The appraisal shall indicate actual replacement value of the building or structure in its pre-improvement condition, less depreciation for functionality and obsolescence and site improvements. The Marshall & Swift Residential Cost Handbook shall be used to determine costs for buildings or structures.
- c. Real Estate purchase contract within 6 months prior to the date of the application for a permit.

(d) Administrative Procedures

- (1) Inspections of Work in Progress: As the work pursuant to a permit progresses, the local administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the administrator has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.
- (2) Stop-Work Orders: Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (3) Revocation of Permits: The local administrator may revoke and require the return of the development permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable State or local law may also be revoked.

- (4) Periodic Inspections: The local administrator and each member of his inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (5) Violations to be Corrected: When the local administrator finds violations of applicable State and local laws, it shall be his duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.
- (6) Actions in Event of Failure to Take Corrective Action: If the owner of a building or property shall fail to take prompt corrective action, the administrator shall give him written notice, by certified or registered mail to his last known address or by personal service, that:
- a. the building or property is in violation of the Flood Damage Prevention Ordinance,
 - b. a hearing will be held before the local administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and,
 - c. following the hearing, the local administrator may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.
- (7) Order to Take Corrective Action: If, upon a hearing held pursuant to the notice prescribed above, the administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he shall make an order in writing to the owner, requiring the owner to remedy the violation within such period, not less than 60 days, the administrator may prescribe; provided that where the administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.
- (8) Appeal: Any owner who has received an order to take corrective action may appeal from the order to the local elected governing body by giving notice of appeal in writing to the administrator and the clerk within 10 days following issuance of the final order. In the absence of an appeal, the order of the administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (9) Failure to Comply with Order: If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the governing body following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

(10) Denial of Flood Insurance under the NFIP: If a structure is declared in violation of this ordinance and the violation is not remedied then the local administrator shall notify the Federal Emergency Management Agency to initiate a Section 1316 of the National Flood insurance Act of 1968 action against the structure upon the finding that the violator refuses to bring the violation into compliance with the ordinance. Once a violation has been remedied the local administrator shall notify FEMA of the remedy and ask that the Section 1316 be rescinded.

(11) The following documents are incorporated by reference and may be used by the local administrator to provide further guidance and interpretation of this ordinance as found on FEMA's website at www.fema.gov:

- a. All FEMA Technical Bulletins
- b. All FEMA Floodplain Management Bulletins
- c. FEMA 348 Protecting Building Utilities from Flood Damage

Sec. 30-62. Specific development standards.

In all areas of special flood hazard where base flood elevation data are available, the following shall be required:

~~(1) Residential construction. New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than one foot above the base flood elevation. A pre-construction and post-construction flood elevation certificate shall be submitted. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, creating a fully enclosed area, said enclosed area shall:~~

- ~~a. Be designed to preclude permanent living space;~~
- ~~b. Be useable solely for parking vehicles, building access, or storage;~~
- ~~c. Include openings sufficient to facilitate unimpeded movement of flood waters and/or be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of floodwaters.~~

~~Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:~~

- ~~a. Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;~~
- ~~b. The bottom of all openings shall be no higher than one foot above grade;~~
- ~~c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;~~

- d. ~~Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side.~~
- (2) ~~Nonresidential construction. New construction or substantial improvements of any commercial, industrial, or non-residential structure shall have the lowest floor elevated no lower than one foot above the level of the base flood elevation. No basements are permitted. Structures located in A zones may be floodproofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Agricultural structures may be wet-floodproofed in accord with Technical Bulletin 7-93, Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program document number FIA-TB-7.~~
- (3) ~~Temporary development. All applicants of a temporary use must submit to the zoning administrator, prior to the issuance of a development permit, a written plan for the removal of any temporary use or structure in the event of a hurricane or flash flood warning notification. The plan shall be reviewed and approved in writing, and must include the following information:~~
- a. ~~A specified time for which the temporary use will be permitted;~~
 - b. ~~The name, address, and phone number of the individual responsible for the removal of said use;~~
 - c. ~~The time frame prior to the event at which any structure will be removed (i.e. minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);~~
 - d. ~~A copy of a contract or other suitable instrument with a trucking company to insure the availability of removal equipment when needed;~~
 - e. ~~Designation, accompanied by documentation, of a location outside the floodplain to which said temporary structure will be moved;~~
 - f. ~~A plan to restore the area to its natural condition once the temporary permit expires or the temporary use is terminated, whichever is first.~~
- (4) ~~Accessory structures. An accessory structure, the cost of which is greater than \$3,000.00, must comply with the elevated structure requirements of this section. When accessory structures of \$3,000.00 or less are to be placed in the floodplain, such structure shall:~~
- a. ~~Not be used for human habitation (including working, sleeping, living, cooking, or restroom areas); and~~
 - b. ~~Be designed to have low flood damage potential, be constructed and placed on the building site so as to offer minimum resistance to floodwaters, and be firmly anchored to prevent flotation, collapse, or lateral movement.~~
- (5) ~~Floodways. The following provisions shall apply within floodways:~~
- a. ~~No encroachments, including fill, new construction, substantial improvements, additions, or other developments shall be permitted unless it has been demonstrated through hydraulic analysis performed in accordance with standard~~

engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of a base flood.

b. ~~Where no such increase is certified, new construction and substantial improvements may be permitted in compliance with the requirements of this section.~~

(6) ~~Standards for streams and/or floodways without established base flood elevations.~~

~~Development contiguous to small streams where no base flood data have been provided or where no floodways have been identified shall adhere to the following:~~

a. ~~No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of base flood discharge.~~

b. ~~Where no such increase is certified, new construction and substantial improvements may be allowed within such areas provided all applicable provisions of this section are satisfied.~~

c. ~~If subsections a. and b. above have been satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of article II, division 3 and shall be elevated or flood proofed in accordance with the elevations established. In the absence of FEMA base flood elevation data and floodway data, obtain, review, and reasonably utilize other base flood elevation and other floodway data as a basis for elevating residential structures to or above the base flood level, and for flood proofing or elevating non-residential structures to or above the base flood level. Data from preliminary, draft and flood insurance studies constitutes best available data. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used. When base flood elevation data is not available from a federal, state or other source, the lowest floor shall be elevated at least three feet above the highest adjacent grade.~~

d. ~~Where base flood elevation data is utilized in Zone A from another source, the administrator will obtain and maintain records of the lowest floor and flood proofing elevation for new and substantially improved construction.~~

(7) ~~Standards for subdivision proposals.~~

a. ~~All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. An access road at or above the base flood elevation shall be provided to allow emergency access during flood conditions;~~

b. ~~All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards;~~

c. ~~Base flood elevation data shall be provided for subdivision proposals and other proposed developments greater than the lesser of five lots or five acres.~~

(8) ~~Standards for areas of shallow flooding (AO zones). Development within areas subject to shallow flooding in zone A and AO require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed~~

structures and shall adhere to the general and specific development standards of this section.

- (9) ~~Recreational vehicles. In A or AE zones, all recreational vehicles to be placed on a site must (a) be elevated and anchored to meet requirements of section 30-61 and 30-62; or (b) be on site for less than 180 consecutive days; or (c) be fully licensed and highway ready. A recreational vehicle is ready for highway use if it is on wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.~~

(10) ~~Manufactured homes.~~

~~a. Manufactured homes that are placed or substantially improved within Zones A or AE, which meet one of the following location criteria, are to be elevated such that the lowest floor is to or above (one foot) above the base flood elevation and be securely anchored: (a) outside a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; (d) on site in an existing park which a manufactured home has incurred substantial damage as a result of a flood.~~

~~b. Where manufactured homes are not subject to section 30-62(10)a. the manufactured home will: (a) be elevated so the lowest floor of the manufactured home is at or above (1 foot) above the base flood elevation; (b) when no base flood elevation is established the manufactured home chassis is to be supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.~~

- (a) General Standards. Development may not occur in the floodplain where alternative locations exist due to the inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. In all areas of special flood hazard the following provisions are required:

- (1) Anchoring. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (2) Flood Resistant Materials and Equipment. All new construction and substantial improvements shall be constructed with flood resistant materials and utility equipment resistant to flood damage.
- (3) Minimize Flood Damage. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) Critical Development. shall be elevated to the 500 year flood elevation or be elevated to the highest known historical flood elevation (where records are available), whichever is greater. If no data exists establishing the 500 year flood elevation or the highest known historical flood elevation, the applicant shall provide a hydrologic and

hydraulic engineering analysis that generates 500 year flood elevation data.

- (5) *Utilities.* Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of the base flood plus 1 ft. This requirement does not preclude the installation of outdoor faucets for shower heads, sinks, hoses, etc., as long as cut off devices and back flow devices are installed to prevent contamination to the service components and thereby minimize any flood damages to the building.
- (6) *Water Supply Systems.* All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (7) *Sanitary Sewage Systems.* New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) *Gas Or Liquid Storage Tanks.* All gas or liquid storage tanks, either located above ground or buried, shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.
- (9) *Alteration, Repair, Reconstruction, Or Improvements.* Any alteration, repair, reconstruction, or improvement to a structure that is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance. This includes post-FIRM development and structures.
- (10) *Non-Conforming Buildings or Uses.* Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- (11) *American with Disabilities Act (ADA).* A building must meet the specific standards for floodplain construction outlined in Section 30-62.b, as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.

(b) Specific Standards. In all areas of special flood hazard (Zones A, AE,) where base flood elevation data has been provided, as set forth in section 30-04 or outlined in the Duties and Responsibilities of the Local Administrator Section 30-61.c. the following provisions are required:

(1) Residential Construction. New construction and substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than 1 foot above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the elevated buildings requirements in Section 30-62.b.4.

(2) Non-Residential Construction. New construction and substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes) shall have the lowest floor elevated no lower than 1 foot above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the elevated buildings requirements in Section 30-62.b.4. No basements are permitted. Structures located in A-zones may be floodproofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in the floodproofing certification requirements in Section 30-61.a.2.a. A variance may be considered for wet-floodproofing agricultural structures in accordance with the criteria outlined in Section 30-63.d of this ordinance. Agricultural structures not meeting the criteria of Section 30-63.d must meet the non-residential construction standards and all other applicable provisions of this ordinance. Structures that are floodproofed are required to have an approved maintenance plan with an annual exercise. The local administrator must approve the maintenance plan and notification of the annual exercise shall be provided to it.

(3) Manufactured Homes.

a. Manufactured homes that are placed or substantially improved on sites outside a manufactured home park or subdivision, in a new manufactured home park or sub-division, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than 1 foot above the base flood elevation and be securely anchored to an adequately anchored foundation system

to resist flotation, collapse, and lateral movement.

- b. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse, or lateral movement in accordance with Section 40-29-10 of the South Carolina Manufactured Housing Board Regulations, as amended. Additionally, when the elevation requirement would be met by an elevation of the chassis at least 36 inches or less above the grade at the sight, reinforced piers or other foundation elements of at least equivalent strength shall support the chassis. When the elevation of the chassis is above 36 inches in height an engineering certification is required.
- c. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the local administrator and the Florence County Emergency Management Department.

(4) Elevated Buildings. New construction and substantial improvements of elevated buildings that include fully enclosed areas that are usable solely for the parking of vehicles, building access, or limited storage in an area other than a basement, and which are subject to flooding shall be designed to preclude finished space and be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

- a. Designs for complying with this requirement must either be certified by a professional engineer or architect and meet the following minimum criteria:
 - 1. Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - 2. The bottom of each opening must be no more than 1 foot above the higher of the interior or exterior grade immediately under the opening.
 - 3. Only the portions of openings that are below the base flood elevation (BFE) can be counted towards the required net open area.
 - 4. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - 5. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.

b. Hazardous Velocities. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than 5 feet per second), foundation systems other than solid foundations walls should be considered so that obstructions to damaging flood flows are minimized.

c. Enclosures Below Lowest Floor

1. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
2. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose a single storage area and must be void of utilities except for essential lighting as required, and cannot be temperature controlled.
3. One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in the specific standards outlined in Section 30-62.b.1, 2 and 3.
4. All construction materials below the required lowest floor elevation specified in the specific standards outlined in section 30-62.b 1, 2 and 3 should be of flood resistant materials.

(5) Floodways. Located within areas of special flood hazard established in Section 30-4, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles and has erosion potential. The following provisions shall apply within such areas:

- a. No encroachments, including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the local administrator.
- b. If Section 30-62.b.5a is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 30-62.
- c. Stream crossings for any purpose (i.e. timber harvesting operations), shall

comply with all applicable flood hazard reduction provisions of Section 30-62.

- d. No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of Section 30-62.b.3 and the encroachment standards of Section 30-62.b.5 (a) are met.
- e. Permissible uses within floodways may include: general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. Also, lawns, gardens, play areas, picnic grounds, and hiking and horseback riding trails are acceptable uses, provided that they do not employ structures or fill. Substantial development of a permissible use may require a no-impact certification. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations or changes to the floodway configuration.

(6) Recreational Vehicles.

- a. A recreational vehicle is ready for highway use if it is:
 - 1. on wheels or jacking system;
 - 2. attached to the site only by quick-disconnect type utilities and security devices; and,
 - 3. has no permanently attached additions.
- b. Recreational vehicles placed on sites shall be:
 - 1. on site for fewer than 180 consecutive days; and,
 - 2. be fully licensed and ready for highway use.
- c. Or, meet the development permit and certification requirements of Section 30-61.c

(7) Map Maintenance Activities. The National Flood Insurance Program requires flood data to be reviewed and approved by FEMA. This ensures that flood maps, studies and other data identified in Section 30-4 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

- a. Requirement to Submit New Technical Data

1. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical or scientific data reflecting such changes be submitted to FEMA as soon as practicable, but no later than six months of the date such information becomes available. These development proposals include; but not limited to:
 - i. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
 - ii. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
 - iii. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
 - iv. Subdivision or large scale development proposals requiring the establishment of base flood elevations in accordance with Section 30-62.b.13.
 2. It is the responsibility of the applicant to have technical data, required in accordance with Section 30-62.b.7, prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall also be the responsibility of the applicant.
 3. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
 - i. Proposed floodway encroachments that increase the base flood elevation; and
 - ii. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.
 4. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 30-62.b.7.
- b. Right to Submit New Technical Data. The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the local jurisdiction and may be submitted at any time.

(8) Accessory Structures.

- a. A detached accessory structure or garage, the cost of which is greater than \$3,000, must comply with the requirements as outlined in FEMA's Technical Bulletin 7-93 Wet Floodproofing Requirements or be elevated in accordance with Section 30-62.b.1 and b.4 or dry floodproofed in accordance with Section 30-62.b.2.
- b. When accessory structures of \$3,000 or less are to be placed in the floodplain, the following additional criteria shall be met:
 1. Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas).
 2. Accessory structures shall be designed to have low flood damage potential.
 3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
 4. Accessory structures shall be firmly anchored to prevent flotation, collapse or lateral movement of the structure.
 5. Service facilities such as electrical and heating equipment shall be installed in accordance with Section 30-62.a.5; and
 6. Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with Section 30-62.b.4a

(9) Swimming Pool Utility Equipment Rooms. If the building cannot be built at or above the BFE, because of functionality of the equipment then a structure to house the utilities for the pool may be built below the BFE with the following provisions:

- a. Meet the requirements for accessory structures in Section 30-62.b.8
- b. The utilities must be anchored to prevent flotation and shall be designed to prevent water from entering or accumulating within the components during conditions of the base flood.
- c. A variance may be granted to allow wet floodproofing of the structure.

(10) Elevators.

- a. Install a float switch system or another system that provides the same level of safety is necessary for all elevators where there is a potential for the elevator cab

to descend below the BFE during a flood per FEMA's Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.

- b. All equipment that may have to be installed below the BFE such as counter weight roller guides, compensation cable and pulleys, and oil buffers for traction elevators and the jack assembly for a hydraulic elevator must be constructed using flood-resistant materials where possible per FEMA's Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.

(11) Fill. An applicant shall demonstrate that fill is the only alternative to raising the building to meet the residential and non-residential construction requirements of Section 30-62.b.1 or b.2, and that the amount of fill used will not affect the flood storage capacity or adversely affect adjacent properties. The following provisions shall apply to all fill placed in the special flood hazard area:

- a. Fill may not be placed in the floodway unless it is in accordance with the requirements in Section 30-62.b.5a.
- b. Fill may not be placed in tidal or non-tidal wetlands without the required State and federal permits.
- c. Fill must consist of soil and rock materials only. A registered professional geotechnical engineer may use dredged material as fill only upon certification of suitability. Landfills, rubble fills, dumps, and sanitary fills are not permitted in the floodplain.
- d. Fill used to support structures must comply with ASTM Standard D-698, and its suitability to support structures certified by a registered, professional engineer.
- e. Fill slopes shall be no greater than two horizontal to one vertical. Flatter slopes may be required where velocities may result in erosion; and,
- f. The use of fill shall not increase flooding or cause drainage problems on neighboring properties.
- g. Will meet the requirements of FEMA Technical Bulletin 10-01, Ensuring That Structures Built On Fill In Or Near Special Flood Hazard Areas Are Reasonable Safe From Flooding.

(12) Standards for Subdivision Proposals.

- a. All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;

- b. All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 - c. All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and
 - d. The applicant shall meet the requirement to submit technical data to FEMA in Section 30-62.b.7. when a hydrologic and hydraulic analysis is completed that generates base flood elevations.
- (c) Standards for Streams without Established Base Flood Elevations and Floodways: Located within the areas of special flood hazard (Zones A and AE) established in Section 30-4, are small streams where no base flood data has been provided or where no floodways have been identified. The following provisions apply within such areas:
- (1) In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.
 - (2) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
 - (3) If Section 30-62.c.1 is satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of Section 30-62 and shall be elevated or floodproofed in accordance with elevations established in accordance with Section 30-61.c.11.
 - (4) Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data. Refer to FEMA Floodplain Management Technical Bulletin 1-98 *Use of Flood Insurance Study (FIS) Data as Available Data*. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.
 - (5) When base flood elevation data is not available from a federal, State, or other source one of the following methods may be used by a licensed surveyor or engineer to determine a BFE. For further information regarding the methods for determining BFEs listed below refer to FEMA's manual *Managing Floodplain Development in Approximate Zone A Areas*.

a. Contour Interpolation

1. Superimpose approximate Zone A boundaries onto a topographic map and estimate a BFE.
2. Add one-half of the contour interval of the topographic map that is used to the BFE.

b. Data Extrapolation. A BFE can be determined if a site within 500 feet upstream of a reach of a stream reach for which a 100-year profile has been computed by detailed methods, and the floodplain and channel bottom slope characteristics are relatively similar to the downstream reaches.

c. Hydrologic and Hydraulic Calculations. Perform hydrologic and hydraulic calculations to determine BFEs using FEMA approved methods and software. These methods include, but are not limited to the following:

(d) Standards for Streams with Established Base Flood Elevations but without Floodways. Along rivers and streams where Base Flood Elevation (BFE) data is provided but neither floodway are identified for a Special Flood Hazard Area on the FIRM or in the FIS. The following provisions apply within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Sec. 30-63. Warning and disclaimer of liability. Variance Procedures for Flood plain Development

The degree of flood protection required by this chapter is based on scientific and engineering considerations. However, larger floods can and will occur on rare occasions. Therefore, this chapter shall not create liability on the part of the participating governments of by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made there under.

(a) Establishment of Appeal Board. The Construction Board of Adjustment and Appeals as established by Florence County shall hear and decide requests for variances from the requirements of Division 4 Flood Hazard District of the Florence County Zoning Ordinance.

- (b) Right to Appeal. Any person aggrieved by the decision of the appeal board or any taxpayer may appeal such decision to the Court.
- (c) Historic Structures. Variances may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (d) Functionally Dependant Uses – Variances may be issued for development necessary for the conduct of a functionally dependant use, provided the criteria of this Article are met, no reasonable alternative exist, and the development is protected by methods that minimize flood damage and create no additional threat to public safety.
- (e) Agricultural Structures. Variances may be issued to wet floodproof an agricultural structure in accordance with Technical Bulletin 7-93, *Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in accordance with the National Flood Insurance Program*, document number FIA-TB-7, dated 12/93, and available from the Federal Emergency Management Agency. In order to minimize flood damages during the base flood and the threat to public health and safety, the structure must meet all of the conditions and considerations of Section 30-63.h., and the following standards:
- (1) Use of the structure must be limited to agricultural purposes as listed below:
 - a. pole frame buildings with open or closed sides used exclusively for the storage of farm machinery and equipment.
 - b. steel grain bins and steel frame corncribs.
 - c. general-purpose barns for the temporary feeding of livestock that are open on at least one side;
 - d. for livestock confinement buildings, poultry houses, dairy operations, and similar livestock operations, variances may not be issued for structures that were substantially damaged. New construction or substantial improvement of such structures must meet the elevation requirements of Section 30-62.b.2 of this ordinance; and,
 - e. detached garages and storage sheds solely used for parking and limited storage in connection with agricultural uses only, which are no greater than 600 square feet in area.
 - (2) The agricultural structure must be built or rebuilt, in the case of an existing building that is substantially damaged, with flood-resistant materials for the exterior and interior building components and elements below the base flood elevation;

- (3) the agricultural structure must be adequately anchored to prevent flotation, collapse, or lateral movement. All of the structure's components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, hydrodynamic, and debris impact forces. Where flood velocities exceed 5 feet per second, fast-flowing floodwaters can exert considerable pressure on the building's enclosure walls or foundation walls;
 - (4) the agricultural structure must meet the venting requirement of Section 30-62.b.4 of this ordinance;
 - (5) any mechanical, electrical, or other utility equipment must be located above the base flood elevation (BFE), plus any required freeboard, or be contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with section 30-62.a.5 of this ordinance;
 - (6) the agricultural structure must comply with the floodway encroachment provisions of Section 30-62.b.5 of this ordinance; and,
 - (7) major equipment, machinery, or other contents must be protected. Such protection may include protective watertight floodproofed areas within the building, the use of equipment hoists for readily elevating contents, permanently elevating contents on pedestals or shelves above the base flood elevation, or determining that property owners can safely remove contents without risk to lives and that the contents will be located to a specified site out of the floodplain.
- (f) Considerations. In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
- (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, and the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (3) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) the importance of the services provided by the proposed facility to the community;
 - (5) the necessity to the facility of a waterfront location, where applicable;
 - (6) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (7) 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;

- (8) 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,
 - (9) 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 and,
 - (10) 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.
- (f) Findings. Findings listed above shall be submitted to the appeal board, in writing, and included in the application for a variance. Additionally, comments from the Department of Natural Resources, Land, Water and Conservation Division, State Coordinator's Office, must be taken into account and included in the permit file.
- (g) Floodways. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result unless a CLOMR is obtained prior to issuance of the variance. In order to insure the project is built in compliance with the CLOMR for which the variance is granted the applicant must provide a bond for 100% of the cost to perform the development.
- (h) Conditions. 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 as it deems necessary to further the purposes of this ordinance. The following conditions shall apply to all variances:
- (1) Variances may not be issued when the variance will make the structure in violation of other federal, State, or local laws, regulations, or ordinances.
 - (2) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (3) 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.
 - (4) 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.

(5) The local administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

(6) Variances shall not be issued for unpermitted development or other development that is not in compliance with the provisions of this ordinance. Violations must be corrected in accordance with Section 30-61.d.5 of this ordinance.

Sec. 30-64. Warning and disclaimer of liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Florence County or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

Sec. 30-65. Reserved.

ARTICLE X. DEFINITIONS

Sec. 30-311. Definitions.

Words not defined herein shall have the meanings stated in the Standard Building Code, Standard Plumbing Code, Standard Gas Code, or Standard Fire Prevention Code. Words not defined in the Standard Codes shall have the meanings in Webster's Ninth New Collegiate Dictionary, as revised.

Words in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.

The word "shall" is always mandatory.

The word "may" is permissive.

The word "lot" includes the word "plot" or "parcel."

The word "person" includes a firm, association, organization, partnership, trust company, or corporation, as well as an individual.

The word "used" or "occupied" as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."

The word "map" or "zoning map" shall mean the Official Zoning Maps of Florence County.

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

The term "council" refers to the legally elected governing bodies of Florence County.

The term "council of jurisdiction" refers to the council with legal authority to act within a political jurisdiction.

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

Other words and terms defined herein are as follows:

Abutting. Sharing a common border; physically touching.

Accessory Structure. (Appurtenant Structure) - structures that are located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory Structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.
Addition (to an existing building). an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a firewall or load-bearing wall is provided between the addition and the existing building, only the addition(s) shall be considered a separate building and must comply with the standards of the ordinance at time of construction.

Addition (to an existing building)- an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a firewall or load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.

Agricultural structure. a structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from the provisions of this ordinance.

Airport elevation. The established elevation of the highest point on the usable landing area.

Airport hazard. Any structure, tree, or use of land which obstructs the airspace required for, or is otherwise hazardous to the flight of aircraft in landing or taking off at the airport.

Airport reference point. The point established as the appropriate geographic center of the airport landing areas and so designated.

Appeal. a request for a review of the local administrator's interpretation of any provision of this ordinance.

Area of shallow flooding. A designated AO or VO zone shown on flood insurance rate maps (FIRM) with base flood depths of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard. The land in the flood plain subject to a one percent or greater chance of flooding in any given year.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Basement. means any enclosed area of a building that is below grade on all sides.

Bed and breakfast inn. Any owner-occupied dwelling or portion thereof offering rooms and meals at breakfast to transient lodgers in return for compensation.

Buildable area. That portion of any lot which may be used or built upon in accordance with the regulations governing the zoning district within which the lot is located when the front, side and rear yard, open space, and applicable buffer area requirements have been met.

Building, accessory. A subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use. Included in this definition are private garages, storage sheds, workshops, animal shelters, pool houses, etc., when detached from the principal buildings, and carports attached to the principal building when at least 75 percent open or unenclosed.

Building, alteration. Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

Building, principal. A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

Canopy tree. A deciduous tree that forms the top layer of vegetation in a forest. Examples of such trees include oaks, hickories, maples, poplars, and others.

Certificate of occupancy. A document allowing the occupancy or use of a building or certifying that the structure or use has been constructed or will be used in compliance with all applicable provisions of this chapter and the building code.

Certificate of zoning compliance. A document certifying that a proposed use meets all requirements of this chapter.

Child day care services. Where permitted as an accessory use shall mean a home in which care is given by a family member and no others during the day only for one and not more than six children, including the day care parents' own children.

Club, private. An organization catering exclusively to members and their guests including buildings and grounds with commercial activities serving the membership only.

Cluster development. A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Color, fluorescent. Highly reflective color or colors with pigments that serve to intensify brightness. Colors which are considered exceptionally bright, reflective, neon, and/or luminescent. These include bright, yellow, bright orange, bright pink, and bright green.

Conditional use. A use of land or structure which is permitted in a district under conditions specified in the Zoning Ordinance.

Condominium. A unit in a multi-unit structure owned by an individual who has use of all common areas associated with that structure.

Critical Development. Development that is critical to the community's public health and safety, is essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical development include jails,

hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

Day care services. Day care services shall mean and include any home, center, agency, or place, however styled, where children, elderly, and other persons not related to the operator are received for custodial care, apart from their parents, whether for compensation, reward, or otherwise during part or all of the day or any number of successive days.

Density. The number of dwelling units per acre of land developed or used for residential purposes. Density requirements in this chapter are expressed in dwelling units per gross acre; that is, per acre of land devoted to residential use is based on the total land area within a development tract or subdivision, excluding nothing.

Developer. An individual, partnership, or corporation (or agent therefore) that undertakes the activities covered by these regulations.

Development. Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.

DHEC. South Carolina Department of Health and Environmental Control.

Domestic animal shelter. A pen, shelter, or structure where no more than three dogs or small domestic animals, not to include horses, cows, goats, swine including pot bellied pigs, sheep, ponies, grazing animals, and fowl of any kind, are boarded and kept.

Drainage. The removal of surface water or groundwater from land by drains, grading, or other means.

Driveway. A paved or unpaved area used for ingress and egress of vehicles, and allowing access from a street to a building or other structure or facility.

Dwelling. A building or portion of a building arranged or designed exclusively for human habitation.

Dwelling, apartment. (See "Dwelling, multi-unit").

Dwelling, detached. A single dwelling unit, surrounded by open space or yards and which is not attached to any other dwelling by any means.

Dwelling, duplex. A building containing two dwelling units.

Dwelling, group occupied. A dwelling unit occupied by five or more individuals unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit.

Dwelling, mobile home. A single family dwelling that is wholly, or in substantial part, fabricated in an off-site manufacturing facility for installation or assembly at the building site, designed to be a permanent residence, and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards, June 15, 1976.

Dwelling, multi-family. A building containing five or more dwelling units.

Dwelling, patio house. A single-family detached or semi-detached dwelling unit. It is built on a small lot generally enclosed by walls which provide privacy. The term is synonymous with zero lot line dwellings.

Dwelling, quadraplex. A building containing four dwelling units.

Dwelling, residential designed manufactured home. A single-family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (Title 24, Code of Federal Regulations [CFR], Part 3280) HUD Code, which:

- a. Has a minimum width over 25 feet (multiple-section);
- b. Has a minimum of 1,100 square feet of enclosed living area;
- c. Has a minimum 2:0:12 roof pitch; and has a type of shingle commonly used in standard residential construction;
- d. Is covered with an exterior material customarily used on site built homes, including vinyl or aluminum lap siding, wood, masonite, or other materials similar to the exterior siding commonly used in standard residential construction;
- e. Has an entry landing that conforms to the minimum requirement of the current edition of the SC State Residential Building Code.

Dwelling, single-family. A building containing one dwelling unit.

Dwelling, standard designed manufactured home. A single family dwelling unit built according to the Federal Manufactured Housing Construction and Safety Standards (24 CFR 3280) HUD Code, which does not meet the definition of a "residential designed manufactured home."

Dwelling, townhouse. A series of attached single-family dwelling units on separate lots which may or may not have a common roof and are separated from each other by common vertical walls.

Dwelling, triplex. A single building containing three dwelling units.

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.

Dwelling, zero lot line. A zero lot line dwelling is a single family detached unit which instead of being centered on a lot, is placed against at least one of the side lot lines. The term is synonymous with patio homes.

Easement. A right-of-way granted to another party for specific limited use.

Elevated building. A non-basement building constructed to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, (post and piers), shear walls, parallel to the flow of water. ~~or breakaway walls.~~

Evergreen tree. A coniferous or deciduous tree that remains green throughout the year.

Executive Order 11988 (Floodplain Management). Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

Existing construction. means, for the purposes of determining rates, structures for which the start of construction commenced before September 2, 1982.

Existing manufactured home park or manufactured home subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before ~~September 22, 1982~~ May 1, 1979.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).

Family. One or more persons related by blood, marriage, adoption, or guardianship, and not more than four persons not so related, except that mentally and physically

handicapped persons for whom care is provided on a 24-hour basis shall be construed to be a family, in accord with the provisions of S.C. Code 1976, § 6-7-830.

Federal Manufactured Home Construction and Safety Standards. Regulations promulgated by the Department of Housing and Urban Development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency, and quality of manufactured housing. These standards also set performance requirements for heating, plumbing, air conditions, thermal, and electrical systems.

Flood. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood hazard boundary map (FHBM). An official map of a community issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard are defined as Zone A.

Flood insurance rate map (FIRM). An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood insurance study. An official study provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodproofing. Means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood-resistant material. Any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage which requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, dated 8/08, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

Floodway. The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor. The top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include floor of a garage used solely for parking vehicles.

Floor area ratio. An intensity measure of land use derived at by dividing the total floor area of a building by the total site area.

Freeboard. a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Functionally dependent use. a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Garage, private. (As defined by the Standard Building Code.)

Garage, public. (As defined by the Standard Building Code.)

Gross floor area (GFA). The sum of the floor area for each of a building's stories measured from the exterior limits of the faces of the structure, including basement floor area. It does not include unenclosed porches or any floor space in an accessory building or in the principal building which is designed for parking of motor vehicles.

Habitable dwelling. A dwelling meeting the minimum habitability requirements of this chapter, and other applicable regulations.

Hazard to air navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height. The vertical distance of a structure or vegetation.

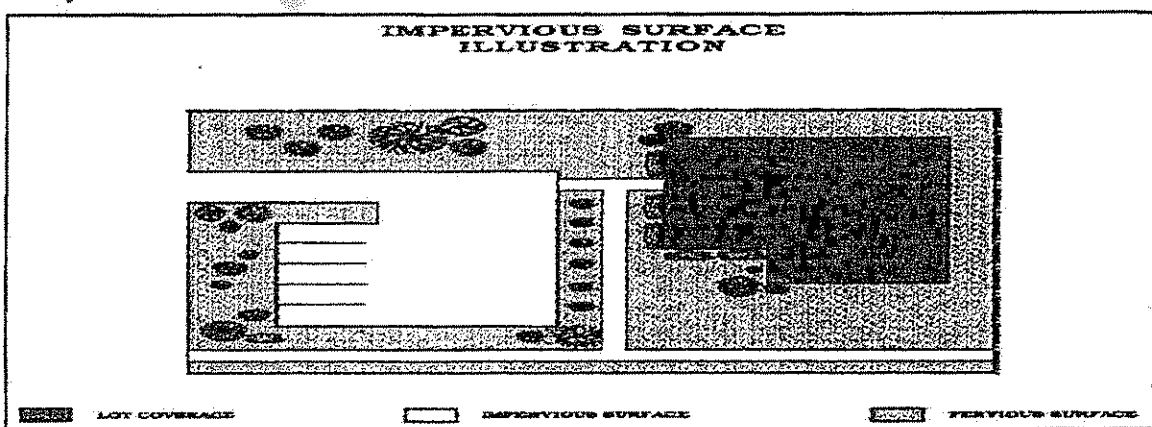
Highest adjacent grade. The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

Historic structure. Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a State inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved State program as determined by the Secretary of Interior, or (2) directly by the Secretary of Interior in states without approved programs. Some structures or districts listed on the State or local inventories MAY NOT be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "Historic" structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

Home occupation. Any occupation within a dwelling, including a hobby and clearly incidental thereto, carried on by a member or members of the family residing on the premises.

Impervious surface. Impervious surfaces are those that do not absorb water. All buildings, paved parking areas, driveways, roads, sidewalks, and any areas in concrete or asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the zoning administrator to be impervious within the meaning of this definition also will be classed as impervious surfaces.

Impervious surface ratio. The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the total site area.



Impervious Surface

Improvement. Any man-made immovable item which becomes part of, placed upon, or is affixed to real estate.

Increased Cost of Compliance (ICC). applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

Instrument runway. A runway equipped or to be equipped with a precision electronic navigation aid or landing aid or other air navigation facilities suitable to permit the landing of aircraft by an instrument approach under restricted visibility conditions.

Junk or salvage. Any materials consisting of waste, discarded or salvage matter which is bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than 72 hours whether for repair or not. The term junk shall also mean, but not be limited to old or scrap copper, brass, aluminum, rope, rags, paper, trash, tire carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

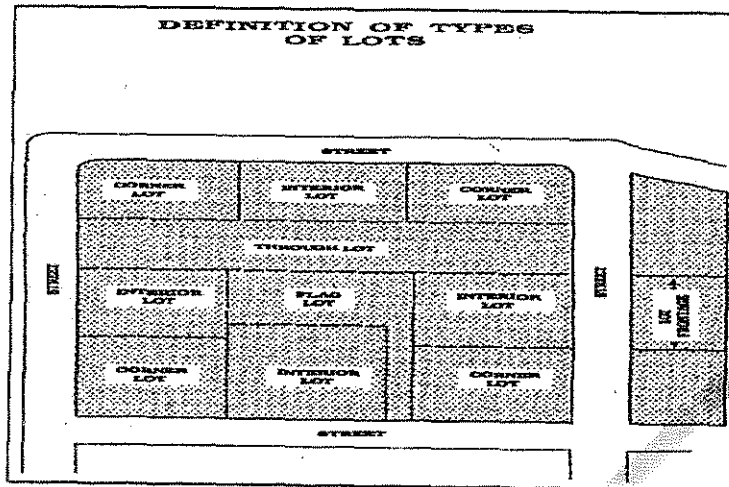
Junk or salvage yard. Any premises where salvage or junk as defined herein are found and have been permitted to remain with the consent of the owner, lessee, or person(s) responsible for maintenance of such premises.

Larger than utility runway. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Limited storage. an area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zone it must meet the requirements of Section 30-62. (4) of this ordinance.

Lot. A piece of land considered as a unit whose boundaries are established by a recorded deed and, where existing, a recorded plat. The terms "lot", "lot of record".

"property" or "tract", whenever used in this chapter are interchangeable. In addition, a lot is not considered a separate piece of land until the property is legally separated from the parent parcel or tract by means of a recorded deed and is given a separate tax parcel number, as assigned by the Florence County Tax Assessor's Office.



Types of lots

Lot, corner. A lot located at the intersection of two or more streets.

Lot, through or double frontage. A lot which has frontage on more than one street.

Lot, interior. A lot, other than a corner lot, which has frontage on only one street other than an alley.

Lot, depth. The horizontal distance between front and rear lot lines.

Lot of record. A lot, the boundaries of which are filed as legal record.

Lot, width. The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

Lot area. The area contained within the boundary line of a lot.

Lot line. A line bounding a lot which divides one lot from another or from a street or any other public or private space.

Lowest Adjacent Grade (LAG). is an elevation of the lowest ground surface that touches any deck support, exterior walls of a building or proposed building walls.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). Any unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor provided that such an enclosure is not built so as to render the structure in violation of other provisions of this ordinance.

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured home park or manufactured home subdivision. A lot or a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale that include improvements and utilities for the long-term parking of three or more manufactured homes which may include services and facilities for the residents.

Manufactured home park space. A plot or ground within a manufactured home park designed for the accommodation of one unit.

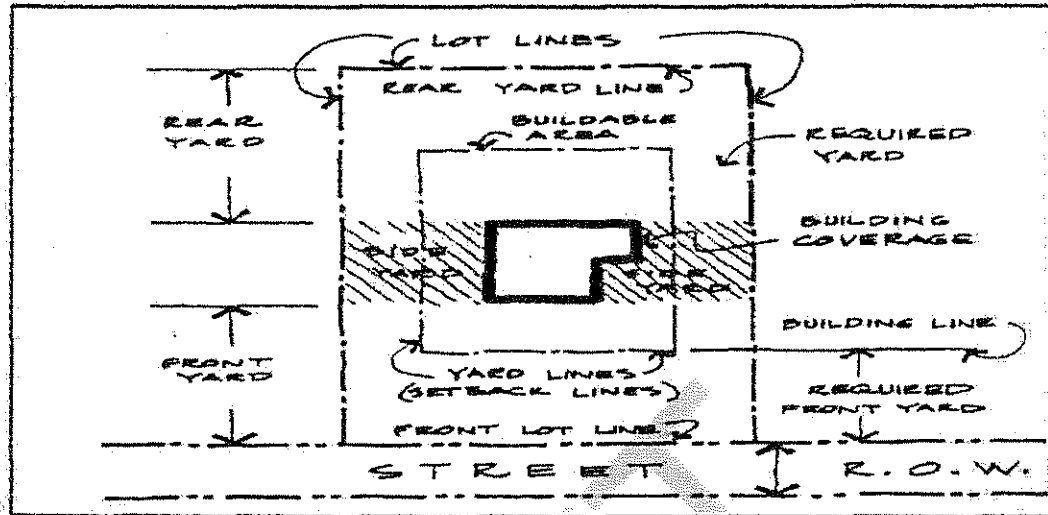
Mean Sea Level. means, for the purpose of this ordinance, the Nations Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are shown.

Minimum required setback line. The line where the required yard and buildable area meet. More specifically:

Front yard setback line: The line where the front yard and buildable area of a lot meet.

Rear yard setback line: The line where the rear yard and buildable area of a lot meet.

Side yard setback line: The line where the side yard and buildable area of a lot meet.



12.6

Mini-warehouse. A building or group of buildings in a controlled-access and fenced compound that contains individual, compartmentalized and controlled-access stalls or lockers for the dead storage of customer's goods or wares.

Mixed occupancy. Any building that is used for two or more occupancies classified by different occupancy use groups.

Modular building unit or modular structure. Any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection. When meeting the requirements of the Modular Building's Construction Act (23-43-10 of the S. C. Code of Laws), said building unit or structure may be located in any zoning district.

National Geodetic Vertical Datum (NGVD). as corrected in 1929, elevation reference points set by National Geodetic Survey based on mean sea level.

New construction. Structure for which the start of construction commenced on or after May 1, 1979. ~~(the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date).~~ The term also includes any subsequent improvements to such structure.

New manufactured home park or manufactured home subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after ~~September 22, 1982~~ May 1, 1979.

Nonconformity. A nonconformity is any lot of record, use, building, structure or vegetation in existence prior to the effective date of this chapter, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the chapter.

Non-residential use. A principal use of land for other than residential purposes, i.e. commercial, industrial, institutional.

North American Vertical Datum (NAVD). vertical control, as corrected in 1988, used as the reference datum on Flood Insurance Rate Maps.

Nudity or state of nudity. Means (a) the appearance of human bare buttocks, anus, male genitals, female genitals, or the areola or nipple of the female breast; or (b) a state of dress which fails to opaquely and fully cover a human buttocks, anus, male genitals, female genitals, pubic region, or areola or nipple of the female breast.

Open space development. Residential developments that concentrate homes and buildings in specific areas on the site in order to allow the remaining land to be undisturbed and used for recreation, open space, wildlife corridors, and preservation of environmentally sensitive features.

Open space ratio. The open space ratio is a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the total site area.

Parcel. A land area bounded by property lines that is recognized as such by the county assessor's office.

Park. A public facility open for recreation, with commercial activities for recreational uses only, open space and public gardens.

Precision instrument runway. A runway with an instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR).

Premises. A lot, plot, or parcel of land including the buildings or structures thereon, under control by the same owner or operator together with all adjacent land.

Recreational vehicle. A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-

propelled or permanently towable by a light duty truck; and, (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory floodway. The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Repetitive Loss. a building covered by a contract for flood insurance that has incurred flood-related damages on 2 occasions during a 10 year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

Riparian buffer. An area of trees, shrubs, and other vegetation that borders an existing watercourse, wetland, or other water body (including open stormwater conveyances), for the purpose of reducing contamination from surface water runoff.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Section 1316 of the National Flood insurance Act of 1968. The act provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

Sexually oriented business. For purposes of this chapter, sexually oriented business operations shall mean and include the following:

Adult arcade means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".

Adult bookstore or adult video store means a commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual

representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or

- (2) Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities". A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas".

Adult cabaret means a nightclub, bar, restaurant or similar commercial establishment which regularly features:

- (1) Persons who appear in a state of nudity; or
- (2) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- (3) Films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by the description of "specified sexual activities" or "specified anatomical areas".

Adult motel means a hotel, motel or similar commercial establishment which:

- (1) Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult-type of photographic reproductions; or
- (2) Offers a sleeping room for rent for a period of time that is less than ten hours; or
- (3) Allows a tenant or occupant of a sleeping room to sublet the room for a period of time that is less than ten hours.

Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult theater means a theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities".

Escort agency means a person or business association who furnishes, offers to furnish or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

Massage parlor means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentation, electric or magnetic treatments, or any other treatment manipulation of the human body which occurs as a part of or in connection with "specified sexual activities," or where any person providing such treatment, manipulation, or service related thereto, exposes his or her "specified anatomical areas." The definition of sexually oriented businesses shall not include the practice of massage in any licensed hospital, nor by a licensed hospital, nor by a licensed physician surgeon, massage therapist, chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon chiropractor or osteopath, nor by trainers for any amateur, semiprofessional, or professional athlete or athletic team or school athletic program.

Nude model studio means any place where a person who appears in a state of nudity or displays "specified anatomical areas" to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

Sexual encounter center means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

- (1) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- (2) Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminude.

Sign. Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

Sign, abandoned or obsolete. A sign which identifies, describes, directs attention to, or gives directions for locating any business or establishment no longer in operation, or

advertises any product no longer marketed or any sign structure lacking sign faces for a period of 120 continuous days or more. Sign structures and boxes with faces that are blank or which advertise the availability of a property (for sale, for lease etc.) on vacant properties are not considered abandoned.

Sign, animated. Any sign that uses movement or change of lighting to depict action or creates a special effect or scene.

Sign, awning, canopy or marquee. A sign that is mounted or painted on or attached to an awning, canopy or marquee.

Sign, bench. A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Sign, building. Any sign attached to any part of a building.

Sign, changeable copy. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.

Sign, dangerous. A sign which is insecure or otherwise structurally unsound, has defective parts in the support, guys, and or anchors, or which is unable to meet the minimum safety requirements of the Building Code adopted by Florence County and any other applicable state codes or regulations.

Sign, dilapidated. A sign which has not been properly maintained, to include painting, lettering, replacement of broken faces or parts, repairing of electrical wiring and or lighting which is defective.

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.

Sign, face. The area or display surface used for the message.

Sign, free-standing. Any nonmovable sign not affixed to a building.

Sign, identification. A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

Sign, illegal. Permanent signs installed not in compliance with this ordinance or without a permit or which the permit has been revoked or expired shall be removed within 30 days of the attempted delivery of a certified letter from the Florence County Planning Department requiring removal.

Sign, incidental. 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.

Sign, off-premises. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, permanent. A sign attached to a building, structure or the ground in some manner and made of materials intended for more than short term use.

Sign, political. A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

Sign, portable. Sign or signs which are capable of being moved from one location to another for the purpose of advertisement or announcement for business or other purposes. The term "portable sign" includes, but is not limited to, signs mounted on trailers and signs mounted on frames placed on the surface of any lot which are not permanently attached to the ground.

Sign, projecting. A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

Sign, real estate Sign or signs indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

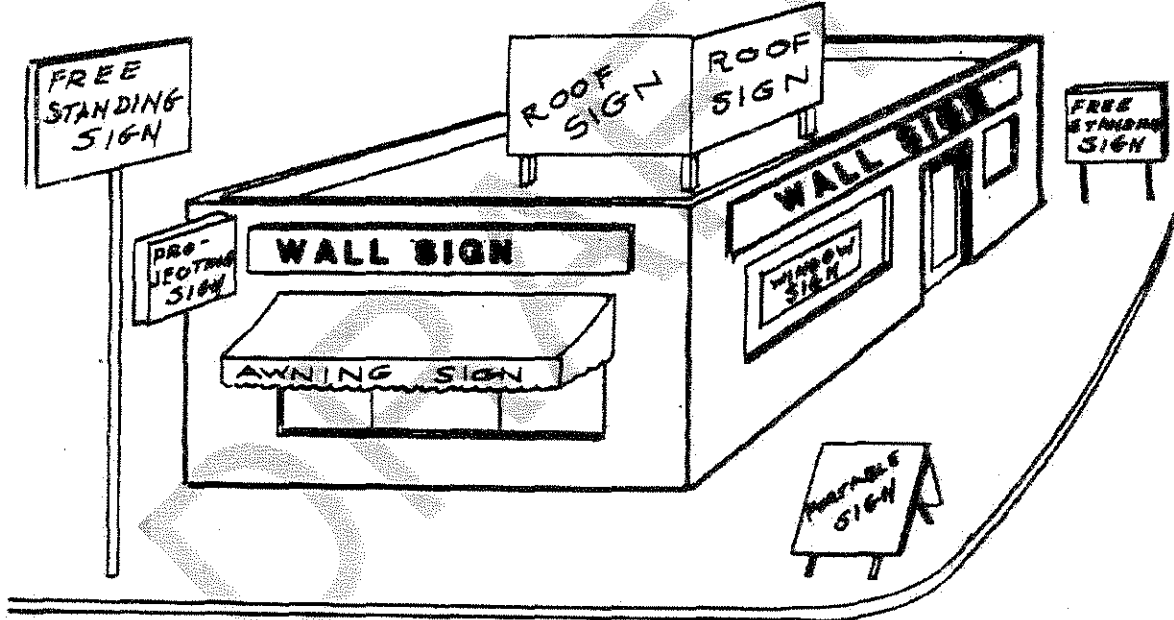
Sign, roof. A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of building with a flat roof, the ridge line of a building with a gambrel, gable, or hip roof or the deck line of a building with a mansard roof. Signs mounted on the sloping section of a roof or the gable end of a roof shall be classified as a wall sign.

Sign, roof integral. A sign whose structure is integrated into the structure of the roof, and is an integral part thereof.

Sign, temporary. A sign that is used only for a short period of time and is not permanently mounted.

Sign, wall. Any sign attached to and within six inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Sign, window. A sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.



SIGN TYPES

Sign Types

South Carolina Manufactured Housing Board. Is authorized by state statute to regulate the construction, repair, modification, installation, tie-down, hook-up, and sale of manufactured homes in South Carolina, which board has adopted for regulation of manufactured homes the Federal Manufactured Housing Construction and Safety Standards,

promulgated by HUD, and contained in the board's Manufactured Housing Regulations, May 26, 1990.

Special flood hazard area. See "area of special flood hazard."

Specified anatomical areas. The male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

Specified sexual activities. Means and includes any of the following:

- (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- (3) Masturbation, actual or simulated; or
- (4) Excretory functions as part of or in connection with any of the activities set forth in (1) through (3) above.

Start of construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

Street. Any thoroughfare (drive, avenue, boulevard) or space more than 18 feet in right-of-way width which has been dedicated, deeded or designated for vehicular traffic, public or private.

Street, major. Includes all state primary and federal aid highways and streets that serve to circulate traffic, having signals at important intersections, and stop signs on side streets and/or having controlled access and channelized intersections.

Street, minor. A street designed principally to collect traffic from subdivisions and provide access to abutting property.

Street, private. A street not dedicated for public use or maintenance.

Structure. a walled and roofed building, a manufactured home, including a gas or liquid storage tank that is principally above ground. Or (As defined by the Standard Building Code.)

Structural alteration. Any change in the supporting members of a building, such as the bearing walls, beams, or girders, or any change in the dimension or configuration of the roof or exterior walls.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement".

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds ~~50~~ 30 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: (1) any project of improvement to a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions (does not include Americans with Disabilities Act compliance standards); or (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. (3) Permits shall be cumulative for a period of five years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

Substantially improved existing manufactured home park or subdivision. where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 30 percent of the value of the streets, utilities and pads before the repair, reconstruction, or improvement commenced.

Travel trailer or recreational vehicle. A structure that (1) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (2) is designed for temporary use as sleeping quarters, but that does

not satisfy one or more of the definitional criteria of a mobile or manufactured home or modular unit.

Understory tree. A small deciduous tree that forms the layer of vegetation under the canopy trees in a forest. Examples of such trees include dogwoods, sourwoods, fruit trees and others.

Use, accessory. See "building, accessory."

Use. The purpose or activity, for which land or any building thereon is designed, arranged or intended, or for which it is occupied or maintained.

Use, principal. The primary purpose for which land is used.

Utility runway A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

Variance. A modification of the area regulations of this chapter, granted by the board of zoning appeals, where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located.

Vegetation. Any object of natural growth.

Violation. The failure of a structure or other development to be fully compliant with these regulations.

Visual runway. A runway intended solely for the operation of aircraft using visual approach procedures.

Wetlands. Areas of .25 acre or more where standing water is retained for a portion of the year and unique vegetation has adapted to the area. Jurisdictional wetlands are those over which the U.S. Corps of Engineers has permitting jurisdiction.

Yard. An open space that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided by this chapter.

Yard, front. A yard extending the full width of the front of a lot between the front (street) right-of-way line or property line and the front building line.

Yard, rear. A yard extending the full width of the lot in the area between the rear lot line and the rear building line.

Yard, required. That part of a yard between a lot line and the minimum required building setback line, within which no structure shall be located except as provided by this chapter.

Yard, side. A yard extending the full length of the lot in the area between the side lot line and a side building line.

Zoning district. A specifically delineated area or district within which regulations and requirements govern the use, placement, spacing and size of land and buildings.

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
D. Malloy McEachin, Jr., County Attorney

SIGNED:

James T. Schofield, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Sponsor(s)	: Engineering Department	I, _____
Planning Commission Consideration	: August 26, 2014	Council Clerk, certify that this
Planning Commission Public Hearing	: August 26, 2014	Ordinance was advertised for
Planning Commission Action	: August 26, 2014 [Approved: 6-0]	Public Hearing on _____.
First Reading/Introduction	: September 18, 2014	
Committee Referral	: N/A	
County Council Public Hearing	: October 16, 2014	
Second Reading	: October 16, 2014	
Third Reading	:	
Effective Date	: Immediately	

ORDINANCE NO. 06-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend The Florence County Code, Chapter 30, Zoning Ordinance, Article I. Establishment, Purpose, Rules for the Interpretation of Zoning Districts, and Zoning Annexed Property, Sec. 30-4. - Adoption of Flood Hazard Area Maps, Article II. - Zoning District Regulations, Division 4. - FH Flood Hazard District, and Article X. – Definitions; And Other Matters Related Thereto.]

WHEREAS:

1. Chapter 30 – Zoning Ordinance was adopted into the Florence County Code of Ordinances on June 7, 2007; and
2. On June 16, 2014 FEMA completed a re-evaluation of the Flood hazards in Florence County; and
3. Failure to adopt the new maps and modify the current ordinance will result in Florence County’s suspension from the National Flood Insurance Program (NFIP); and
4. The Florence County Code of Ordinances must be maintained as compliant with the Department of Homeland Security’s Federal Emergency Management Agency requirements.

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

1. The Florence County Code, Chapter 30 - Zoning Ordinance, Article I. - Establishment, Purpose, Rules for the Interpretation of Zoning Districts, and Zoning Annexed Property, Sec. 30-4. - Adoption of flood hazard area maps, Article II. - Zoning District Regulations, Division 4. - FH Flood Hazard District, and Article X. – Definitions, is amended to read as follows:

Sec. 30-4. Adoption of flood hazard area maps.

Special flood hazard area maps have been prepared for Florence County and its incorporated areas by the Federal Emergency Management Agency in its Flood Insurance Study dated September 22, 1982. The accompanying maps and other supporting data are adopted by reference and declared to be part of the ordinance. The current special flood hazard maps that are adopted to use are dated December 16, 2014.

For all areas which come under the jurisdiction of Florence County, any special flood hazard areas identified by the Flood Insurance Study, dated December 16, 2014 for the

unincorporated area of Florence County, with accompanying maps and other data, are adopted by reference.

DIVISION 4. FH FLOOD HAZARD DISTRICT

Flood hazard districts include (1) flood plains, (2) areas of shallow flooding, (3) areas of special flood hazard, and (4) floodways. The development of these areas, where shown on flood hazard boundary maps, issued by the Federal Emergency Management Agency (FEMA) for Florence County, may not occur where alternative locations exist due to the inherent hazards and risks involved. Before a building permit is issued, the applicant shall demonstrate on the plan submitted with the zoning compliance application that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. Where there is no alternative to a location in a flood hazard district, proposed development shall be regulated by the following.

Sec. 30-61. General development standards.

Sec. 30-62. Specific development standards.

Sec. 30-63. Variance Procedures for Flood plain Development.

Sec. 30-64. Warning and disclaimer of liability.

30-65. Reserved.

Sec. 30-61. General development standards.

(a) *Development Permit:* Application for a development permit shall be made to the local administrator on forms furnished by him or her prior to any development activities. The development permit may include, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures; and the location of fill materials, storage areas, and drainage facilities. Specifically, the following information is required:

(1) A plot plan that shows the 100-year floodplain contour, or a statement that the entire lot is within the floodplain, must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Federal Emergency Management Agency or the floodplain identified pursuant to either the Duties and Responsibilities of the Local Administrators of Section 30-61.c or the Standards for Subdivision Proposals of Section 30-62.b.13 and the Standards for streams without Estimated Base Flood Elevations and/or Floodways of Section 30-62.c. The plot plan must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. The plot plan must show the floodway, if any, as identified by the Federal Emergency Management Agency or the floodway identified pursuant to either the duties or responsibilities of the local administrators of Section 30-61.c or the standards for

subdivision proposals of Section 30-62.b.13 in conjunction with the standards for streams without estimated base flood elevations and/or floodways of 30-62.c.

- (2) *Where base flood elevation data is provided* as set forth in Section 30-4 or the duties and responsibilities of the local administrators of Section 30-61.c, the application for a development permit within the flood hazard area shall show:
 - a. the elevation (in relation to mean sea level) of the lowest floor of all new and substantially improved structures, and
 - b. if the structure will be floodproofed in accordance with the non-residential construction requirements of Section 30-62.b.2, the elevation (in relation to mean sea level) to which the structure will be floodproofed.
- (3) *Where Base Flood Elevation Data Is Not Provided.* If no base flood elevation data is provided, as set forth in Section 30-4 or the duties and responsibilities of the local administrators of Section 30-61.c.11, then the provisions in the standards for streams without estimated base flood elevations and/or floodways of Section 30-62.c. must be met.
- (4) *Alteration of Watercourse:* Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and, a map showing the location of the proposed watercourse alteration or relocation.

(b) *Certifications*

- (1) *Floodproofing Certification.* When a structure is floodproofed, the applicant shall provide certification from a registered, professional engineer or architect that the non-residential, floodproofed structure meets the floodproofing criteria in the non-residential construction requirements of Section 30-62.b.2.
- (2) *Certification During Construction.* A lowest floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the local administrator a certification of the elevation of the lowest floor, or floodproofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. Any work done prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. The permit

holder, immediately and prior to further progressive work being permitted to proceed, shall correct deficiencies detected by such review. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

- (3) *As-built Certification.* Upon completion of the development a registered professional engineer, land surveyor or architect, in accordance with SC law, shall certify according to the requirements of Section 30-61.b.1 and 2 that the development is built in accordance with the submitted plans and previous pre-development certifications.
- (c) *Duties and Responsibilities of the Local Administrator.* Duties of the local administrator shall include, but not be limited to:
- (1) *Permit Review.* Review all development permits to assure that the requirements of this ordinance have been satisfied.
 - (2) *Requirement of Federal and/or state permits.* Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C 1334.
 - (3) *Watercourse alterations*
 - a. Notify adjacent communities and the South Carolina Department of Natural Resources, Land, Water and Conservation Division, State Coordinator for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - b. In addition to the notifications required with watercourse alterations per Section 30-61.c.3a, written reports of maintenance records must be maintained to show that maintenance has been provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. This maintenance must consist of a comprehensive program of periodic inspections, and routine channel clearing and dredging, or other related functions. The assurance shall consist of a description of maintenance activities, frequency of performance, and the local official responsible for maintenance performance. Records shall be kept on file for FEMA inspection.
 - c. If the proposed project will impact the configuration of the watercourse, floodway, or base flood elevation for which a detailed Flood Insurance Study has been developed, the applicant shall apply for and must receive approval for a Conditional Letter of Map Revision with the Federal Emergency Management Agency prior to the start of actual construction.

- d. Within 60 days of completion of an alteration of a watercourse, the applicant shall submit as-built certification, by a registered professional engineer, to the Federal Emergency Management Agency.
- (4) *Floodway encroachments.* Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Section 30-62.b.5 are met.
- (5) *Development Proposals.* Require development proposals for proposed developments prior to signing off on and CLOMRs or LOMRs.
- (6) *Adjoining Floodplains.* Cooperate with neighboring communities with respect to the management of adjoining floodplains and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
- (7) *Notifying Adjacent Communities.* Notify adjacent communities prior to permitting substantial commercial developments and large subdivisions to be undertaken in areas of special flood hazard and/or flood-related erosion hazards.
- (8) *Certification requirements*
- a. Obtain and review actual elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures, in accordance with Section 30-61.b.2 and 3.
 - b. Obtain the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been floodproofed, in accordance with the floodproofing certification outlined in Section 30-61.b.1.
 - c. When floodproofing is utilized for a non-residential structure, obtain certifications from a registered professional engineer or architect in accordance with the non-residential construction requirements outlined in Section 30-62.b.2.
- (9) *Map Interpretation.* Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (10) *Prevailing Authority.* Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations for flood protection elevations (as found on an elevation profile, floodway data table, etc.) shall prevail. The correct information should be submitted to FEMA as per the map maintenance activity requirements outlined in Section 30-62.b.7.b.
- (11) *Use Of Best Available Data.* When base flood elevation data or floodway data has

not been provided in accordance with Section 30-4, obtain, review, and reasonably utilize best available base flood elevation data and floodway data available from a federal, State, or other sources, including data developed pursuant to the standards for subdivision proposals outlined in Section 30-62.b.13, in order to administer the provisions of this ordinance. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data from a federal, state, or other source. Data must be developed using hydraulic models meeting the minimum requirement of NFIP approved model. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.

- (12) *Special Flood hazard Area/topographic Boundaries Conflict.* When the exact location of boundaries of the areas special flood hazards conflict with the current, natural topography information at the site the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. The local administrator in the permit file will maintain a copy of the Letter of Map Amendment issued from FEMA.
- (13) *On-Site inspections.* Make on-site inspections of projects in accordance with the administrative procedures outlined in Section 30-61.d.
- (14) *Administrative Notices.* Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with the administrative procedures in Section 30-61.d.4
- (15) *Records Maintenance.* Maintain all records pertaining to the administration of this ordinance and make these records available for public inspection.
- (16) *Annexations and Detachments.* Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, within six (6) months, of any annexations or detachments that include special flood hazard areas. The community must incorporate applicable maps from surrounding jurisdictions into this ordinance within 90 days of date of the annexation.
- (17) *Federally Funded Development.* The President issued Executive Order 11988, Floodplain Management May 1977. E.O. 11988 directs federal agencies to assert a leadership role in reducing flood losses and losses to environmental values served by floodplains. Evidence of compliance with the executive order must be submitted as part of the permit review process.
- (18) *Substantial Damage Determination.* Perform an assessment of damage from any origin to the structure using FEMA's Residential Substantial Damage Estimator (RSDE) software to determine if the damage equals or exceeds 30 percent of the market value of the structure before the damage occurred.
- (19) *Substantial Improvement Determinations.* Perform an assessment of permit applications for improvements or repairs to be made to a building or structure equals

or exceeds 30 percent of the market value of the structure before the improvement or repair is started. Cost of work counted for determining if and when substantial improvement to a structure occurs shall be cumulative for a period of five years. If the improvement project is conducted in phases the total of all cost associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur. Methods of Market Value Determination. The market values shall be determined by one of the following methods:

- a. the current assessed building value as determined by the county's assessor's office or the value of an appraisal performed by a licensed appraiser at the expense of the owner; or,
- b. one or more certified appraisals from a registered professional licensed appraiser in accordance with the laws of South Carolina. The appraisal shall indicate actual replacement value of the building or structure in its pre-improvement condition, less depreciation for functionality and obsolescence and site improvements. The Marshall & Swift Residential Cost Handbook shall be used to determine costs for buildings or structures.
- c. Real Estate purchase contract within 6 months prior to the date of the application for a permit.

(d) Administrative Procedures

- (1) *Inspections of Work in Progress:* As the work pursuant to a permit progresses, the local administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the administrator has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.
- (2) *Stop-Work Orders:* Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (3) *Revocation of Permits:* The local administrator may revoke and require the return of the development permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations

made in securing the permit. Any permit mistakenly issued in violation of an applicable State or local law may also be revoked.

- (4) *Periodic Inspections:* The local administrator and each member of his inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (5) *Violations to be Corrected:* When the local administrator finds violations of applicable State and local laws, it shall be his duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.
- (6) *Actions in Event of Failure to Take Corrective Action:* If the owner of a building or property shall fail to take prompt corrective action, the administrator shall give him written notice, by certified or registered mail to his last known address or by personal service, that:
 - a. the building or property is in violation of the Flood Damage Prevention Ordinance,
 - b. a hearing will be held before the local administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and,
 - c. following the hearing, the local administrator may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.
- (7) *Order to Take Corrective Action:* If, upon a hearing held pursuant to the notice prescribed above, the administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he shall make an order in writing to the owner, requiring the owner to remedy the violation within such period, not less than 60 days, the administrator may prescribe; provided that where the administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.
- (8) *Appeal:* Any owner who has received an order to take corrective action may appeal from the order to the local elected governing body by giving notice of appeal in writing to the administrator and the clerk within 10 days following issuance of the final order. In the absence of an appeal, the order of the administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (9) *Failure to Comply with Order:* If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails

to comply with an order of the governing body following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

- (10) *Denial of Flood Insurance under the NFIP*: If a structure is declared in violation of this ordinance and the violation is not remedied then the local administrator shall notify the Federal Emergency Management Agency to initiate a Section 1316 of the National Flood insurance Act of 1968 action against the structure upon the finding that the violator refuses to bring the violation into compliance with the ordinance. Once a violation has been remedied the local administrator shall notify FEMA of the remedy and ask that the Section 1316 be rescinded.
- (11) The following documents are incorporated by reference and may be used by the local administrator to provide further guidance and interpretation of this ordinance as found on FEMA's website at www.fema.gov:
 - a. All FEMA Technical Bulletins
 - b. All FEMA Floodplain Management Bulletins
 - c. FEMA 348 Protecting Building Utilities from Flood Damage

Sec. 30-62. Specific development standards.

- (a) *General Standards*. Development may not occur in the floodplain where alternative locations exist due to the inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. In all areas of special flood hazard the following provisions are required:
 - (1) *Anchoring*. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure,
 - (2) *Flood Resistant Materials and Equipment*. All new construction and substantial improvements shall be constructed with flood resistant materials and utility equipment resistant to flood damage,
 - (3) *Minimize Flood Damage*. All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages,
 - (4) *Critical Development*. shall be elevated to the 500 year flood elevation or be elevated to the highest known historical flood elevation (where records are available), whichever is greater. If no data exists establishing the 500 year flood elevation or the highest known historical flood elevation, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates 500 year flood elevation data,

- (5) *Utilities.* Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of the base flood plus 1 ft. This requirement does not preclude the installation of outdoor faucets for shower heads, sinks, hoses, etc., as long as cut off devices and back flow devices are installed to prevent contamination to the service components and thereby minimize any flood damages to the building,
 - (6) *Water Supply Systems.* All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system,
 - (7) *Sanitary Sewage Systems.* New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding,
 - (8) *Gas Or Liquid Storage Tanks.* All gas or liquid storage tanks, either located above ground or buried, shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads,
 - (9) *Alteration, Repair, Reconstruction, Or Improvements.* Any alteration, repair, reconstruction, or improvement to a structure that is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance. This includes post-FIRM development and structures,
 - (10) *Non-Conforming Buildings or Uses.* Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance,
 - (11) *American with Disabilities Act (ADA).* A building must meet the specific standards for floodplain construction outlined in Section 30-62.b, as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.
- (b) *Specific Standards.* In all areas of special flood hazard (Zones A, AE,) where base flood elevation data has been provided, as set forth in section 30-4 or outlined in the Duties and Responsibilities of the Local Administrator Section 30-61.c. the following

provisions are required:

- (1) *Residential Construction.* New construction and substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than 1 foot above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the elevated buildings requirements in Section 30-62.b.4.
- (2) *Non-Residential Construction.* New construction and substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes) shall have the lowest floor elevated no lower than 1 foot above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the elevated buildings requirements in Section 30-62.b.4. No basements are permitted. Structures located in A-zones may be floodproofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in the floodproofing certification requirements in Section 30-61.a.2.a. A variance may be considered for wet-floodproofing agricultural structures in accordance with the criteria outlined in Section 30-63.d of this ordinance. Agricultural structures not meeting the criteria of Section 30-63.d must meet the non-residential construction standards and all other applicable provisions of this ordinance. Structures that are floodproofed are required to have an approved maintenance plan with an annual exercise. The local administrator must approve the maintenance plan and notification of the annual exercise shall be provided to it.
- (3) *Manufactured Homes.*
 - a. Manufactured homes that are placed or substantially improved on sites outside a manufactured home park or subdivision, in a new manufactured home park or sub-division, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than 1 foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

- b. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse, or lateral movement in accordance with Section 40-29-10 of the *South Carolina Manufactured Housing Board Regulations*, as amended. Additionally, when the elevation requirement would be met by an elevation of the chassis at least 36 inches or less above the grade at the sight, reinforced piers or other foundation elements of at least equivalent strength shall support the chassis. When the elevation of the chassis is above 36 inches in height an engineering certification is required.
- c. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the local administrator and the Florence County Emergency Management Department.

(4) *Elevated Buildings*. New construction and substantial improvements of elevated buildings that include fully enclosed areas that are usable solely for the parking of vehicles, building access, or limited storage in an area other than a basement, and which are subject to flooding shall be designed to preclude finished space and be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

- a. Designs for complying with this requirement must either be certified by a professional engineer or architect and meet the following minimum criteria:
 - 1. Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - 2. The bottom of each opening must be no more than 1 foot above the higher of the interior or exterior grade immediately under the opening.
 - 3. Only the portions of openings that are below the base flood elevation (BFE) can be counted towards the required net open area.
 - 4. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - 5. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.
- b. *Hazardous Velocities*. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow

exists. If flood velocities are excessive (greater than 5 feet per second), foundation systems other than solid foundations walls should be considered so that obstructions to damaging flood flows are minimized.

c. *Enclosures Below Lowest Floor*

1. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
2. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose a single storage area and must be void of utilities except for essential lighting as required, and cannot be temperature controlled.
3. One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in the specific standards outlined in Section 30-62.b.1, 2 and 3.
4. All construction materials below the required lowest floor elevation specified in the specific standards outlined in section 30-62.b 1, 2 and 3 should be of flood resistant materials.

(5) *Floodways.* Located within areas of special flood hazard established in Section 30-4, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles and has erosion potential. The following provisions shall apply within such areas:

- a. No encroachments, including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the local administrator.
- b. If Section 30-62.b.5a is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 30-62.
- c. Stream crossings for any purpose (i.e. timber harvesting operations), shall comply with all applicable flood hazard reduction provisions of Section 30-62.
- d. No manufactured homes shall be permitted, except in an existing manufactured

home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of Section 30-62.b.3 and the encroachment standards of Section 30-62.b.5 (a) are met.

- e. Permissible uses within floodways may include: general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. Also, lawns, gardens, play areas, picnic grounds, and hiking and horseback riding trails are acceptable uses, provided that they do not employ structures or fill. Substantial development of a permissible use may require a no-impact certification. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations or changes to the floodway configuration.

(6) *Recreational Vehicles.*

- a. A recreational vehicle is ready for highway use if it is:
 - 1. on wheels or jacking system;
 - 2. attached to the site only by quick-disconnect type utilities and security devices; and,
 - 3. has no permanently attached additions.
- b. Recreational vehicles placed on sites shall be:
 - 1. on site for fewer than 180 consecutive days; and,
 - 2. be fully licensed and ready for highway use.
- a. Or, meet the development permit and certification requirements of Section 30-61.c

(7) *Map Maintenance Activities.* The National Flood Insurance Program requires flood data to be reviewed and approved by FEMA. This ensures that flood maps, studies and other data identified in Section 30-4 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

- a. Requirement to Submit New Technical Data
 - 1. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical or scientific data reflecting such changes be submitted to FEMA as soon as practicable, but no

later than six months of the date such information becomes available. These development proposals include; but not limited to:

- i. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
 - ii. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
 - iii. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
 - iv. Subdivision or large scale development proposals requiring the establishment of base flood elevations in accordance with Section 30-62.b.13.
2. It is the responsibility of the applicant to have technical data, required in accordance with Section 30-62.b.7, prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall also be the responsibility of the applicant.
 3. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
 - i. Proposed floodway encroachments that increase the base flood elevation; and
 - ii. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.
 4. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 30-62.b.7.
- b. *Right to Submit New Technical Data.* The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the local jurisdiction and may be submitted at any time.

(8) *Accessory Structures.*

- a. A detached accessory structure or garage, the cost of which is greater than \$3,000, must comply with the requirements as outlined in FEMA's Technical Bulletin 7-93 Wet Floodproofing Requirements or be elevated in accordance with Section 30-62.b.1 and b.4 or dry floodproofed in accordance with Section 30-62.b.2.
 - b. When accessory structures of \$3,000 or less are to be placed in the floodplain, the following additional criteria shall be met:
 1. Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas),
 2. Accessory structures shall be designed to have low flood damage potential,
 3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters,
 4. Accessory structures shall be firmly anchored to prevent flotation, collapse or lateral movement of the structure,
 5. Service facilities such as electrical and heating equipment shall be installed in accordance with Section 30-62.a.5; and
 6. Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with Section 30-62.b.4a.
- (9) *Swimming Pool Utility Equipment Rooms.* If the building cannot be built at or above the BFE, because of functionality of the equipment then a structure to house the utilities for the pool may be built below the BFE with the following provisions:
- a. Meet the requirements for accessory structures in Section 30-62.b.8
 - b. The utilities must be anchored to prevent flotation and shall be designed to prevent water from entering or accumulating within the components during conditions of the base flood.
 - c. A variance may be granted to allow wet floodproofing of the structure.
- (10) *Elevators.*
- a. Install a float switch system or another system that provides the same level of safety is necessary for all elevators where there is a potential for the elevator cab to descend below the BFE during a flood per FEMA's Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.

- b. All equipment that may have to be installed below the BFE such as counter weight roller guides, compensation cable and pulleys, and oil buffers for traction elevators and the jack assembly for a hydraulic elevator must be constructed using flood-resistant materials where possible per FEMA's Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.

(11) *Fill.* An applicant shall demonstrate that fill is the only alternative to raising the building to meet the residential and non-residential construction requirements of Section 30-62.b.1 or b.2, and that the amount of fill used will not affect the flood storage capacity or adversely affect adjacent properties. The following provisions shall apply to all fill placed in the special flood hazard area:

- a. Fill may not be placed in the floodway unless it is in accordance with the requirements in Section 30-62.b.5a.
- b. Fill may not be placed in tidal or non-tidal wetlands without the required State and federal permits.
- c. Fill must consist of soil and rock materials only. A registered, professional geotechnical engineer may use dredged material as fill only upon certification of suitability. Landfills, rubble fills, dumps, and sanitary fills are not permitted in the floodplain.
- d. Fill used to support structures must comply with ASTM Standard D-698, and its suitability to support structures certified by a registered, professional engineer.
- e. Fill slopes shall be no greater than two horizontal to one vertical. Flatter slopes may be required where velocities may result in erosion.
- f. The use of fill shall not increase flooding or cause drainage problems on neighboring properties.
- g. Will meet the requirements of FEMA Technical Bulletin 10-01, Ensuring That Structures Built On Fill In Or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding.

(12) *Standards for Subdivision Proposals.*

- a. All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations.
- b. All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

- c. All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage.
 - d. The applicant shall meet the requirement to submit technical data to FEMA in Section 30-62.b.7. when a hydrologic and hydraulic analysis is completed that generates base flood elevations.
- (c) *Standards for Streams without Established Base Flood Elevations and Floodways:* Located within the areas of special flood hazard (Zones A and AE) established in Section 30-4, are small streams where no base flood data has been provided or where no floodways have been identified. The following provisions apply within such areas:
- (1) In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.
 - (2) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
 - (3) If Section 30-62.c.1 is satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of Section 30-62 and shall be elevated or floodproofed in accordance with elevations established in accordance with Section 30-61.c.11.
 - (4) Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data. Refer to FEMA Floodplain Management Technical Bulletin 1-98 *Use of Flood Insurance Study (FIS) Data as Available Data*. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.
 - (5) When base flood elevation data is not available from a federal, State, or other source one of the following methods may be used by a licensed surveyor or engineer to determine a BFE. For further information regarding the methods for determining BFEs listed below refer to FEMA's manual *Managing Floodplain Development in Approximate Zone A Areas*.
 - a. *Contour Interpolation*
 - 1. Superimpose approximate Zone A boundaries onto a topographic map and estimate a BFE.

2. Add one-half of the contour interval of the topographic map that is used to the BFE.
 - b. *Data Extrapolation.* A BFE can be determined if a site within 500 feet upstream of a reach of a stream reach for which a 100-year profile has been computed by detailed methods, and the floodplain and channel bottom slope characteristics are relatively similar to the downstream reaches.
 - c. *Hydrologic and Hydraulic Calculations.* Perform hydrologic and hydraulic calculations to determine BFEs using FEMA approved methods and software. These methods include, but are not limited to the following:
 - (d) *Standards for Streams with Established Base Flood Elevations but without Floodways.* Along rivers and streams where Base Flood Elevation (BFE) data is provided but no floodway is identified for a Special Flood Hazard Area on the FIRM or in the FIS.
 - (1) No encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Sec. 30-63. Variance Procedures for Flood plain Development

- (a) *Establishment of Appeal Board.* The Construction Board of Adjustment and Appeals as established by Florence County shall hear and decide requests for variances from the requirements of Division 4 Flood Hazard District of the Florence County Zoning Ordinance.
- (b) *Right to Appeal.* Any person aggrieved by the decision of the appeal board or any taxpayer may appeal such decision to the Court.
- (c) *Historic Structures.* Variances may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (d) *Functionally Dependent Uses –* Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exist, and the development is protected by methods that minimize flood damage and create no additional threat to public safety.

(e) *Agricultural Structures.* Variances may be issued to wet floodproof an agricultural structure in accordance with Technical Bulletin 7-93, *Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in accordance with the National Flood Insurance Program*, document number FIA-TB-7, dated 12/93, and available from the Federal Emergency Management Agency. In order to minimize flood damages during the base flood and the threat to public health and safety, the structure must meet all of the conditions and considerations of Section 30-63.h., and the following standards:

- (1) Use of the structure must be limited to agricultural purposes as listed below:
 - a. Pole frame buildings with open or closed sides used exclusively for the storage of farm machinery and equipment.
 - b. Steel grain bins and steel frame corncribs.
 - c. General-purpose barns for the temporary feeding of livestock that are open on at least one side.
 - d. For livestock confinement buildings, poultry houses, dairy operations, and similar livestock operations, variances may not be issued for structures that were substantially damaged. New construction or substantial improvement of such structures must meet the elevation requirements of Section 30-62.b.2 of this ordinance.
- (2) The agricultural structure must be built or rebuilt, in the case of an existing building that is substantially damaged, with flood-resistant materials for the exterior and interior building components and elements below the base flood elevation.
- (3) The agricultural structure must be adequately anchored to prevent flotation, collapse, or lateral movement. All of the structure's components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, hydrodynamic, and debris impact forces. Where flood velocities exceed 5 feet per second, fast-flowing floodwaters can exert considerable pressure on the building's enclosure walls or foundation walls.
- (4) The agricultural structure must meet the venting requirement of Section 30-62.b.4 of this ordinance.
- (5) Any mechanical, electrical, or other utility equipment must be located above the base flood elevation (BFE), plus any required freeboard, or be contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with section 30-62.a.5 of this ordinance.
- (6) The agricultural structure must comply with the floodway encroachment provisions of Section 30-62.b.5 of this ordinance.

- (7) Major equipment, machinery, or other contents must be protected. Such protection may include protective watertight floodproofed areas within the building, the use of equipment hoists for readily elevating contents, permanently elevating contents on pedestals or shelves above the base flood elevation, or determining that property owners can safely remove contents without risk to lives and that the contents will be located to a specified site out of the floodplain.
- (f) *Considerations.* In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
- (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, and the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (3) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) the importance of the services provided by the proposed facility to the community;
 - (5) the necessity to the facility of a waterfront location, where applicable;
 - (6) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (7) 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;
 - (8) 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,
 - (9) 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; and,
 - (10) 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.
- (f) *Findings.* Findings listed above shall be submitted to the appeal board, in writing, and included in the application for a variance. Additionally, comments from the Department of Natural Resources, Land, Water and Conservation Division, State Coordinator's

Office, must be taken into account and included in the permit file.

- (g) *Floodways.* Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result unless a CLOMR is obtained prior to issuance of the variance. In order to insure the project is built in compliance with the CLOMR for which the variance is granted the applicant must provide a bond for 100% of the cost to perform the development.
- (h) *Conditions.* 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 as it deems necessary to further the purposes of this ordinance. The following conditions shall apply to all variances:
- (1) Variances may not be issued when the variance will make the structure in violation of other federal, State, or local laws, regulations, or ordinances.
 - (2) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (3) 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.
 - (4) 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.
 - (5) The local administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.
 - (6) Variances shall not be issued for unpermitted development or other development that is not in compliance with the provisions of this ordinance. Violations must be corrected in accordance with Section 30-61.d.5 of this ordinance.

Sec. 30-64. Warning and disclaimer of liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or

flood damages. This ordinance shall not create liability on the part of Florence County or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

Sec. 30-65. Reserved.

ARTICLE X. DEFINITIONS

Sec. 30-311. Definitions.

Words not defined herein shall have the meanings stated in the Standard Building Code, Standard Plumbing Code, Standard Gas Code, or Standard Fire Prevention Code. Words not defined in the Standard Codes shall have the meanings in Webster's Ninth New Collegiate Dictionary, as revised.

Words in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.

The word "shall" is always mandatory.

The word "may" is permissive.

The word "lot" includes the word "plot" or "parcel."

The word "person" includes a firm, association, organization, partnership, trust company, or corporation, as well as an individual.

The word "used" or "occupied" as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."

The word "map" or "zoning map" shall mean the Official Zoning Maps of Florence County.

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

The term "council" refers to the legally elected governing body of Florence County.

The term "council of jurisdiction" refers to the council with legal authority to act within a political jurisdiction.

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

Other words and terms defined herein are as follows:

Abutting. Sharing a common border; physically touching.

Accessory Structure. (Appurtenant Structure) - Structures that are located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory Structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds. *Addition (to an existing building).* an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a firewall or load-bearing wall is provided between the addition and the existing building, only the addition(s) shall be considered a separate building and must comply with the standards of the ordinance at time of construction.

Addition (to an existing building)- An extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not.

Agricultural structure. A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from the provisions of this ordinance.

Airport elevation. The established elevation of the highest point on the usable landing area.

Airport hazard. Any structure, tree, or use of land which obstructs the airspace required for, or is otherwise hazardous to the flight of aircraft in landing or taking off at the airport.

Airport reference point. The point established as the appropriate geographic center of the airport landing areas and so designated.

Appeal. A request for a review of the local administrator's interpretation of any provision of this ordinance.

Area of shallow flooding. A designated AO or VO zone shown on flood insurance rate maps (FIRM) with base flood depths of one to three feet, where a clearly defined

channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard. The land in the flood plain subject to a one percent or greater chance of flooding in any given year.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Basement. Means any enclosed area of a building that is below grade on all sides.

Bed and breakfast inn. Any owner-occupied dwelling or portion thereof offering rooms and meals at breakfast to transient lodgers in return for compensation.

Buildable area. That portion of any lot which may be used or built upon in accordance with the regulations governing the zoning district within which the lot is located when the front, side and rear yard, open space, and applicable buffer area requirements have been met.

Building, accessory. A subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use. Included in this definition are private garages, storage sheds, workshops, animal shelters, pool houses, etc., when detached from the principal buildings, and carports attached to the principal building when at least 75 percent open or unenclosed.

Building, alteration. Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

Building, principal. A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

Canopy tree. A deciduous tree that forms the top layer of vegetation in a forest. Examples of such trees include oaks, hickories, maples, poplars, and others.

Certificate of occupancy. A document allowing the occupancy or use of a building or certifying that the structure or use has been constructed or will be used in compliance with all applicable provisions of this chapter and the building code.

Certificate of zoning compliance. A document certifying that a proposed use meets all requirements of this chapter.

Child day care services. Where permitted as an accessory use shall mean a home in which care is given by a family member and no others during the day only for one and not more than six children, including the day care parents' own children.

Club, private. An organization catering exclusively to members and their guests including buildings and grounds with commercial activities serving the membership only.

Cluster development. A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Color, fluorescent. Highly reflective color or colors with pigments that serve to intensify brightness. Colors which are considered exceptionally bright, reflective, neon, and/or luminescent. These include bright yellow, bright orange, bright pink, and bright green.

Conditional use. A use of land or structure which is permitted in a district under conditions specified in the Zoning Ordinance.

Condominium. A unit in a multi-unit structure owned by an individual who has use of all common areas associated with that structure.

Critical Development. Development that is critical to the community's public health and safety, is essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical development include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

Day care services. Day care services shall mean and include any home, center, agency, or place, however styled, where children, elderly, and other persons not related to the operator are received for custodial care, apart from their parents, whether for compensation, reward, or otherwise during part or all of the day or any number of successive days.

Density. The number of dwelling units per acre of land developed or used for residential purposes. Density requirements in this chapter are expressed in dwelling units per gross acre; that is, per acre of land devoted to residential use is based on the total land area within a development tract or subdivision, excluding nothing.

Developer. An individual, partnership, or corporation (or agent therefore) that undertakes the activities covered by these regulations.

Development. Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.

DHEC. South Carolina Department of Health and Environmental Control.

Domestic animal shelter. A pen, shelter, or structure where no more than three dogs or small domestic animals, not to include horses, cows, goats, swine including potbellied pigs, sheep, ponies, grazing animals, and fowl of any kind, are boarded and kept.

Drainage. The removal of surface water or groundwater from land by drains, grading, or other means.

Driveway. A paved or unpaved area used for ingress and egress of vehicles, and allowing access from a street to a building or other structure or facility.

Dwelling. A building or portion of a building arranged or designed exclusively for human habitation.

Dwelling, apartment. (See "Dwelling, multi-family").

Dwelling, detached. A single dwelling unit, surrounded by open space or yards and which is not attached to any other dwelling by any means.

Dwelling, duplex. A building containing two dwelling units.

Dwelling, group occupied. A dwelling unit occupied by five or more individuals unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit.

Dwelling, mobile home. A single-family dwelling that is wholly, or in substantial part, fabricated in an off-site manufacturing facility for installation or assembly at the building site, designed to be a permanent residence, and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards, June 15, 1976.

Dwelling, multi-family. A building containing five or more dwelling units.

Dwelling, patio house. A single-family detached or semi-detached dwelling unit. It is built on a small lot generally enclosed by walls which provide privacy. The term is synonymous with zero lot line dwellings.

Dwelling, quadraplex. A building containing four dwelling units.

Dwelling, residential designed manufactured home. A single-family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (Title 24, Code of Federal Regulations [CFR], Part 3280) HUD Code, which:

- a. Has a minimum width over 25 feet (multiple-section);
- b. Has a minimum of 1,100 square feet of enclosed living area;
- c. Has a minimum 2.0:12 roof pitch; and has a type of shingle commonly used in standard residential construction;
- d. Is covered with an exterior material customarily used on site built homes, including vinyl or aluminum lap siding, wood, masonite, or other materials similar to the exterior siding commonly used in standard residential construction;
- e. Has an entry landing that conforms to the minimum requirement of the current edition of the SC State Residential Building Code.

Dwelling, single-family. A building containing one dwelling unit.

Dwelling, standard designed manufactured home. A single-family dwelling unit built according to the Federal Manufactured Housing Construction and Safety Standards (24 CFR 3280) HUD Code, which does not meet the definition of a "residential designed manufactured home."

Dwelling, townhouse. A series of attached single-family dwelling units on separate lots which may or may not have a common roof and are separated from each other by common vertical walls.

Dwelling, triplex. A single building containing three dwelling units.

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.

Dwelling, zero lot line. A zero lot line dwelling is a single-family detached unit which instead of being centered on a lot, is placed against at least one of the side lot lines. The term is synonymous with patio homes.

Easement. A right-of-way granted to another party for specific limited use.

Elevated building. A non-basement building constructed to have the lowest floor elevated above the ground level by means, solid foundation perimeter walls, pilings, columns, (post and piers), shear walls, parallel to the flow of water.

Evergreen tree. A coniferous or deciduous tree that remains green throughout the year.

Executive Order 11988 (Floodplain Management). Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

Existing construction. Means, for the purposes of determining rates, structures for which the start of construction commenced before September 2, 1982.

Existing manufactured home park or manufactured home subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before May 1, 1979.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).

Family. One or more persons related by blood, marriage, adoption, or guardianship, and not more than four persons not so related, except that mentally and physically handicapped persons for whom care is provided on a 24-hour basis shall be construed to be a family, in accord with the provisions of S.C. Code 1976, § 6-7-830.

Federal Manufactured Home Construction and Safety Standards. Regulations promulgated by the Department of Housing and Urban Development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency, and quality of manufactured housing. These standards also set performance requirements for heating, plumbing, air conditions, thermal, and electrical systems.

Flood. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood hazard boundary map (FHBM). An official map of a community issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard are defined as Zone A.

Flood insurance rate map (FIRM). An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood insurance study. An official study provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodproofing. Means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood-resistant material. Any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage which requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbars are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, dated 8/08, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

Floodway. The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor. The top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include floor of a garage used solely for parking vehicles.

Floor area ratio. An intensity measure of land use derived at by dividing the total floor area of a building by the total site area.

Freeboard. A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for

a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Garage, private. (As defined by the Standard Building Code.)

Garage, public. (As defined by the Standard Building Code.)

Gross floor area (GFA). The sum of the floor area for each of a building's stories measured from the exterior limits of the faces of the structure, including basement floor area. It does not include unenclosed porches or any floor space in an accessory building or in the principal building which is designed for parking of motor vehicles.

Habitable dwelling. A dwelling meeting the minimum habitability requirements of this chapter, and other applicable regulations.

Hazard to air navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height. The vertical distance of a structure or vegetation.

Highest adjacent grade. The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

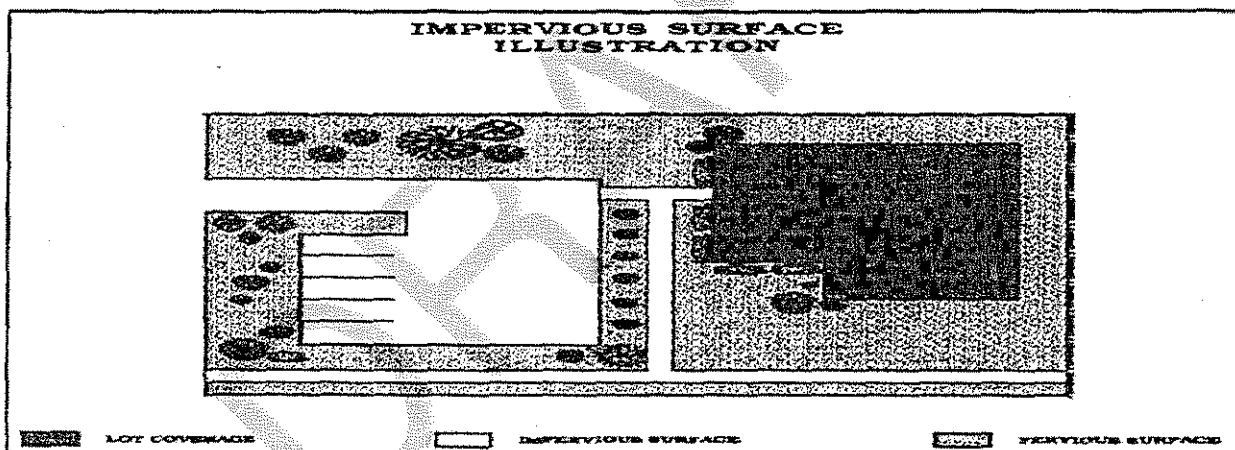
Historic structure. Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a State inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved State program as determined by the Secretary of Interior, or (2) directly by the Secretary of Interior in states without approved programs. Some structures or districts listed on the State or local inventories MAY NOT be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "Historic" structure criteria of the DOI. In order for these structures to meet

NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

Home occupation. Any occupation within a dwelling, including a hobby and clearly incidental thereto, carried on by a member or members of the family residing on the premises.

Impervious surface. Impervious surfaces are those that do not absorb water. All buildings, paved parking areas, driveways, roads, sidewalks, and any areas in concrete or asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the zoning administrator to be impervious within the meaning of this definition also will be classed as impervious surfaces.

Impervious surface ratio. The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the total site area.



Impervious Surface

Improvement. Any man-made immovable item which becomes part of, placed upon, or is affixed to real estate.

Increased Cost of Compliance (ICC). Applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost

to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

Instrument runway. A runway equipped or to be equipped with a precision electronic navigation aid or landing aid or other air navigation facilities suitable to permit the landing of aircraft by an instrument approach under restricted visibility conditions.

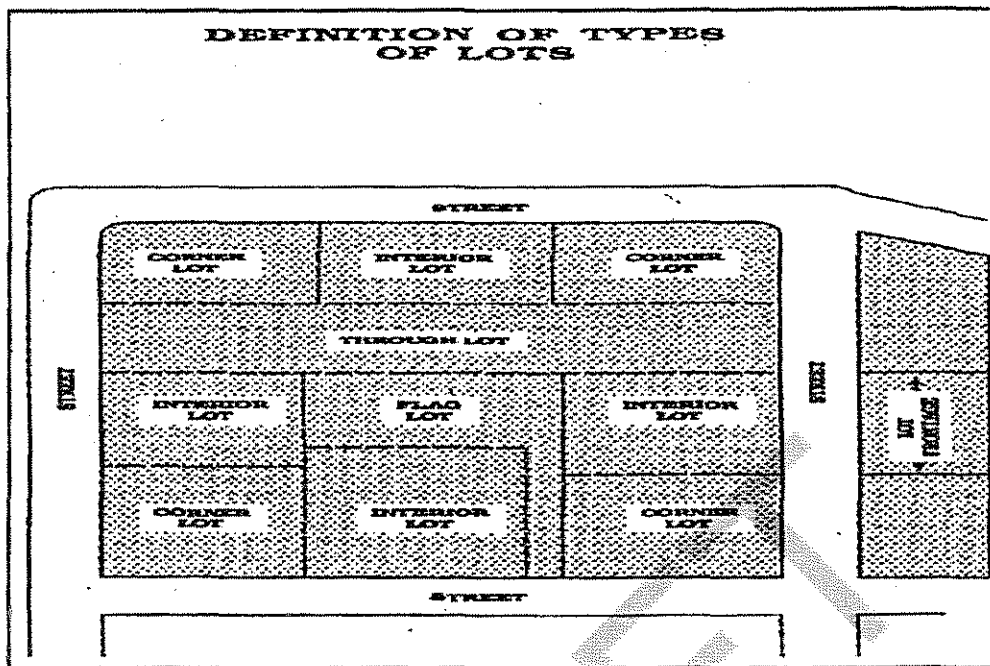
Junk or salvage. Any materials consisting of waste, discarded or salvage matter which is bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than 72 hours whether for repair or not. The term junk shall also mean, but not be limited to old or scrap copper, brass, aluminum, rope, rags, paper, trash, tire carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

Junk or salvage yard. Any premises where salvage or junk as defined herein are found and have been permitted to remain with the consent of the owner, lessee, or person(s) responsible for maintenance of such premises.

Larger than utility runway. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Limited storage. An area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and AI-A30 zone it must meet the requirements of Section 30-62. (4) of this ordinance.

Lot. A piece of land considered as a unit whose boundaries are established by a recorded deed and, where existing, a recorded plat. The terms "lot", "lot of record", "property" or "tract", whenever used in this chapter are interchangeable. In addition, a lot is not considered a separate piece of land until the property is legally separated from the parent parcel or tract by means of a recorded deed and is given a separate tax parcel number, as assigned by the Florence County Tax Assessor's Office.



Types of lots

Lot, corner. A lot located at the intersection of two or more streets.

Lot, through or double frontage. A lot which has frontage on more than one street.

Lot, interior. A lot, other than a corner lot, which has frontage on only one street other than an alley.

Lot, depth. The horizontal distance between front and rear lot lines.

Lot of record. A lot, the boundaries of which are filed as legal record.

Lot, width. The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

Lot area. The area contained within the boundary line of a lot.

Lot line. A line bounding a lot which divides one lot from another or from a street or any other public or private space.

Lowest Adjacent Grade (LAG). Is an elevation of the lowest ground surface that touches any deck support, exterior walls of a building or proposed building walls.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). Any unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor provided that such an enclosure is not built so as to render the structure in violation of other provisions of this ordinance.

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or manufactured home subdivision. A lot or a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale that include improvements and utilities for the long-term parking of three or more manufactured homes which may include services and facilities for the residents.

Manufactured home park space. A plot or ground within a manufactured home park designed for the accommodation of one unit.

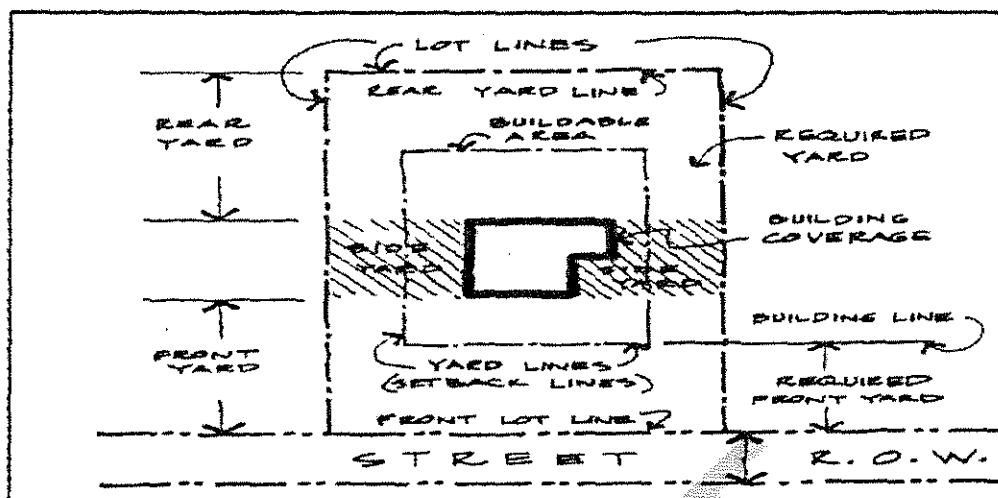
Mean Sea Level. Means, for the purpose of this ordinance, the Nations Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are shown.

Minimum required setback line. The line where the required yard and buildable area meet. More specifically:

Front yard setback line: The line where the front yard and buildable area of a lot meet.

Rear yard setback line: The line where the rear yard and buildable area of a lot meet.

Side yard setback line: The line where the side yard and buildable area of a lot meet.



Mini-warehouse. A building or group of buildings in a controlled-access and fenced compound that contains individual, compartmentalized and controlled-access stalls or lockers for the dead storage of customer's goods or wares.

Mixed occupancy. Any building that is used for two or more occupancies classified by different occupancy use groups.

Modular building unit or modular structure. Any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection. When meeting the requirements of the Modular Building's Construction Act (23-43-10 of the S. C. Code of Laws), said building unit or structure may be located in any zoning district.

National Geodetic Vertical Datum (NGVD). As corrected in 1929, elevation reference points set by National Geodetic Survey based on mean sea level.

New construction. Structure for which the start of construction commenced on or after May 1, 1979. The term also includes any subsequent improvements to such structure.

New manufactured home park or manufactured home subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after May 1, 1979.

Nonconformity. A nonconformity is any lot of record, use, building, structure or vegetation in existence prior to the effective date of this chapter, but which fails, by reason

of such adoption, revision or amendment, to conform to the present requirements of the chapter.

Non-residential use. A principal use of land for other than residential purposes, i.e. commercial, industrial, institutional.

North American Vertical Datum (NAVD). Vertical control, as corrected in 1988, used as the reference datum on Flood Insurance Rate Maps.

Nudity or state of nudity. Means (a) the appearance of human bare buttocks, anus, male genitals, female genitals, or the areola or nipple of the female breast; or (b) a state of dress which fails to opaquely and fully cover a human buttocks, anus, male genitals, female genitals, pubic region, or areola or nipple of the female breast.

Open space development. Residential developments that concentrate homes and buildings in specific areas on the site in order to allow the remaining land to be undisturbed and used for recreation, open space, wildlife corridors, and preservation of environmentally sensitive features.

Open space ratio. The open space ratio is a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the total site area.

Parcel. A land area bounded by property lines that is recognized as such by the county assessor's office.

Park. A public facility open for recreation, with commercial activities for recreational uses only, open space and public gardens.

Precision instrument runway. A runway with an instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR).

Premises. A lot, plot, or parcel of land including the buildings or structures thereon, under control by the same owner or operator together with all adjacent land.

Recreational vehicle. A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and, (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory floodway. The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Repetitive Loss. A building covered by a contract for flood insurance that has incurred flood-related damages on 2 occasions during a 10 year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

Riparian buffer. An area of trees, shrubs, and other vegetation that borders an existing watercourse, wetland, or other water body (including open stormwater conveyances), for the purpose of reducing contamination from surface water runoff.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Section 1316 of the National Flood insurance Act of 1968. The act provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

Sexually oriented business. For purposes of this chapter, sexually oriented business operations shall mean and include the following:

Adult arcade means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".

Adult bookstore or *adult video store* means a commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or
- (2) Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities". A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to

exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas".

Adult cabaret means a nightclub, bar, restaurant or similar commercial establishment which regularly features:

- (1) Persons who appear in a state of nudity; or
- (2) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- (3) Films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by the description of "specified sexual activities" or "specified anatomical areas".

Adult motel means a hotel, motel or similar commercial establishment which:

- (1) Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult-type of photographic reproductions; or
- (2) Offers a sleeping room for rent for a period of time that is less than ten hours; or
- (3) Allows a tenant or occupant of a sleeping room to sublet the room for a period of time that is less than ten hours.

Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult theater means a theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities".

Escort agency means a person or business association who furnishes, offers to furnish or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

Massage parlor means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentation, electric or magnetic treatments, or any other treatment manipulation of the human body which occurs as a part of or in connection with "specified sexual activities," or where any person providing such treatment, manipulation, or service related thereto, exposes his or her "specified anatomical areas." The definition of sexually oriented businesses shall not include the practice of massage in any licensed hospital, nor by a licensed hospital, nor by a licensed physician surgeon, massage therapist, chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon chiropractor or osteopath, nor by trainers for any amateur, semiprofessional, or professional athlete or athletic team or school athletic program.

Nude model studio means any place where a person who appears in a state of nudity or displays "specified anatomical areas" to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

Sexual encounter center means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

- (1) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- (2) Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminude.

Sign. Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

Sign, abandoned or obsolete. A sign which identifies, describes, directs attention to, or gives directions for locating any business or establishment no longer in operation, or advertises any product no longer marketed or any sign structure lacking sign faces for a period of 120 continuous days or more. Sign structures and boxes with faces that are blank or which advertise the availability of a property (for sale, for lease etc.) on vacant properties are not considered abandoned.

Sign, animated. Any sign that uses movement or change of lighting to depict action or creates a special effect or scene.

Sign, awning, canopy or marquee. A sign that is mounted or painted on or attached to an awning, canopy or marquee.

Sign, bench. A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Sign, building. Any sign attached to any part of a building.

Sign, changeable copy. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.

Sign, dangerous. A sign which is insecure or otherwise structurally unsound, has defective parts in the support, guys, and or anchors, or which is unable to meet the minimum safety requirements of the Building Code adopted by Florence County and any other applicable state codes or regulations.

Sign, dilapidated. A sign which has not been properly maintained, to include painting, lettering, replacement of broken faces or parts, repairing of electrical wiring and or lighting which is defective.

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.

Sign, face. The area or display surface used for the message.

Sign, free-standing. Any nonmovable sign not affixed to a building.

Sign, identification. A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

Sign, illegal. Permanent signs installed not in compliance with this ordinance or without a permit or which the permit has been revoked or expired shall be removed within

30 days of the attempted delivery of a certified letter from the Florence County Planning Department requiring removal.

Sign, incidental. 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.

Sign, off-premises. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, permanent. A sign attached to a building, structure or the ground in some manner and made of materials intended for more than short term use.

Sign, political. A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

Sign, portable. Sign or signs which are capable of being moved from one location to another for the purpose of advertisement or announcement for business or other purposes. The term "portable sign" includes, but is not limited to, signs mounted on trailers and signs mounted on frames placed on the surface of any lot which are not permanently attached to the ground.

Sign, projecting. A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

Sign, real estate. Sign or signs indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

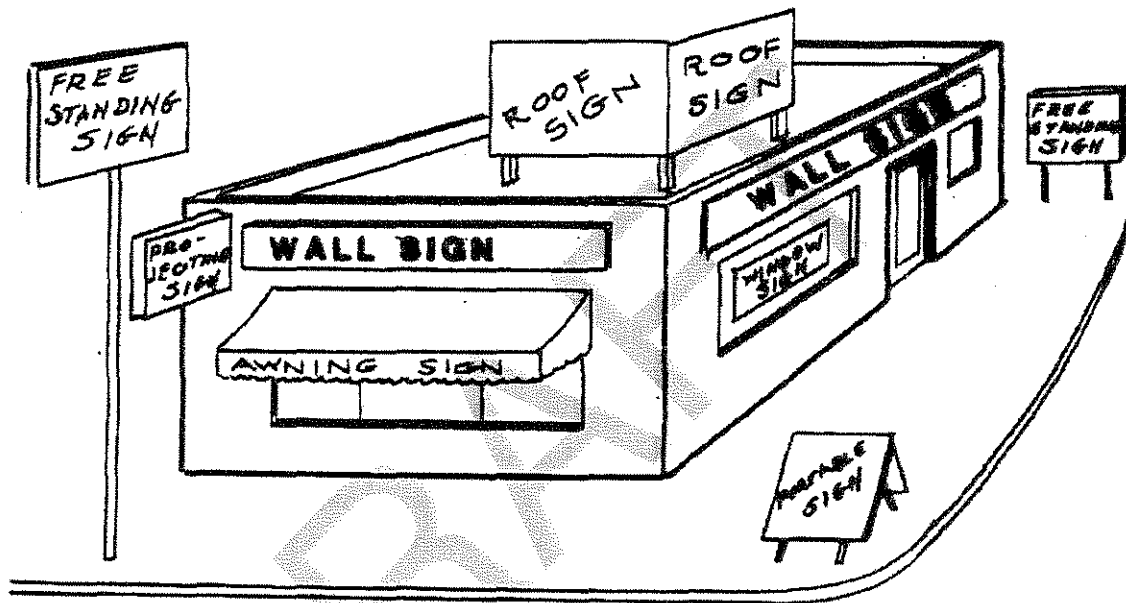
Sign, roof. A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the ridge line of a building with a gambrel, gable, or hip roof or the deck line of a building with a mansard roof. Signs mounted on the sloping section of a roof or the gable end of a roof shall be classified as a wall sign.

Sign, roof integral. A sign whose structure is integrated into the structure of the roof, and is an integral part thereof.

Sign, temporary. A sign that is used only for a short period of time and is not permanently mounted.

Sign, wall. Any sign attached to and within six inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Sign, window. A sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.



SIGN TYPES

South Carolina Manufactured Housing Board. Is authorized by state statute to regulate the construction, repair, modification, installation, tie-down, hook-up, and sale of manufactured homes in South Carolina, which board has adopted for regulation of manufactured homes the Federal Manufactured Housing Construction and Safety Standards, promulgated by HUD, and contained in the board's Manufactured Housing Regulations, May 26, 1990.

Special flood hazard area. See "area of special flood hazard."

Specified anatomical areas. The male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

Specified sexual activities. Means and includes any of the following:

- (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- (3) Masturbation, actual or simulated; or
- (4) Excretory functions as part of or in connection with any of the activities set forth in (1) through (3) above.

Start of construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

Street. Any thoroughfare (drive, avenue, boulevard) or space more than 18 feet in right-of-way width which has been dedicated, deeded or designated for vehicular traffic, public or private.

Street, major. Includes all state primary and federal aid highways and streets that serve to circulate traffic, having signals at important intersections, and stop signs on side streets and/or having controlled access and channelized intersections.

Street, minor. A street designed principally to collect traffic from subdivisions and provide access to abutting property.

Street, private. A street not dedicated for public use or maintenance.

Structure. a walled and roofed building, a manufactured home, including a gas or liquid storage tank that is principally above ground. Or (As defined by the Standard Building Code.)

Structural alteration. Any change in the supporting members of a building, such as the bearing walls, beams, or girders, or any change in the dimension or configuration of the roof or exterior walls.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement."

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 30 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: (1) any project of improvement to a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions (does not include Americans with Disabilities Act compliance standards); or (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure; or (3) Permits shall be cumulative for a period of five years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

Substantially improved existing manufactured home park or subdivision. Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 30 percent of the value of the streets, utilities and pads before the repair, reconstruction, or improvement commenced.

Travel trailer or recreational vehicle. A structure that (1) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (2) is designed for temporary use as sleeping quarters, but that does not satisfy one or more of the definitional criteria of a mobile or manufactured home or modular unit.

Understory tree. A small deciduous tree that forms the layer of vegetation under the canopy trees in a forest. Examples of such trees include dogwoods, sourwoods, fruit trees and others.

Use, accessory. See "building, accessory."

Use. The purpose or activity for which land or any building thereon is designed, arranged or intended, or for which it is occupied or maintained.

Use, principal. The primary purpose for which land is used.

Utility runway. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

Variance. A modification of the area regulations of this chapter, granted by the board of zoning appeals, where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located.

Vegetation. Any object of natural growth.

Violation. The failure of a structure or other development to be fully compliant with these regulations.

Visual runway. A runway intended solely for the operation of aircraft using visual approach procedures.

Wetlands. Areas of .25 acre or more where standing water is retained for a portion of the year and unique vegetation has adapted to the area. Jurisdictional wetlands are those over which the U.S. Corps of Engineers has permitting jurisdiction.

Yard. An open space that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided by this chapter.

Yard, front. A yard extending the full width of the front of a lot between the front (street) right-of-way line or property line and the front building line.

Yard, rear. A yard extending the full width of the lot in the area between the rear lot line and the rear building line.

Yard, required. That part of a yard between a lot line and the minimum required building setback line, within which no structure shall be located except as provided by this chapter.

Yard, side. A yard extending the full length of the lot in the area between the side lot line and a side building line.

Zoning district. A specifically delineated area or district within which regulations and requirements govern the use, placement, spacing and size of land and buildings.

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
D. Malloy McEachin, Jr., County Attorney

SIGNED:

James T. Schofield, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

DRAFT

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
Tuesday, August 26, 2014
PC#2014-05
ORDINANCE NO. 06-2014/15**

SUBJECT: Text amendment request to Florence County Code of Ordinances, Chapter 30 - Zoning Ordinance, Article I. - Establishment, Purpose, Rules for the Interpretation of Zoning Districts, and Zoning Annexed Property, Sec. 30-4. - Adoption of flood hazard area maps, Article II. - Zoning District Regulations, Division 4. - FH Flood Hazard District, and Article X. - Definitions.

APPLICANT: Florence County Planning & Building Department

STAFF ANALYSIS:

On December 16, 2004 the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issued a Flood Insurance Rate Map (FIRM) that identified the Special Flood hazard Areas (SFHAs) in Florence County. On June 16, 2014 FEMA completed a re-evaluation of the Flood hazards in Florence County. Because of the Flood Insurance Study re-evaluation Florence County has to formally adopt the modified maps and update the current Floodplain Development Ordinance to meet the additional requirements imposed by FEMA. Failure to adopt the new maps and modify the current ordinance to meet these requirements by December 16, 2014 will result in Florence County's suspension from the National Flood Insurance Program (NFIP).

The Florence County Code, Chapter 30 - Zoning Ordinance, Article I. - Establishment, Purpose, Rules for the Interpretation of Zoning Districts, and Zoning Annexed Property, Sec. 30-4. - Adoption of flood hazard area maps, Article II. - Zoning District Regulations, Division 4. - FH Flood Hazard District, and Article X. - Definitions. The Text amendment shall read as follows:

Sec. 30-04. Adoption of flood hazard area maps.

Special flood hazard area maps have been prepared for Florence County and its incorporated areas by the Federal Emergency Management Agency in its Flood Insurance Study dated September 22, 1982. The accompanying maps and other supporting data are adopted by reference and declared to be part of the ordinance. The current special flood hazard maps that are adopted to use are dated December 16, ~~2004~~ 2014.

For all areas which come under the jurisdiction of Florence County, any special flood hazard areas identified by the Flood Insurance Study, dated December 16, ~~2004~~ 2014 for the unincorporated area of Florence County, with accompanying maps and other data, are adopted by reference.

Sec. 30-61. General development standards.

~~Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all development shall adhere to the following criteria;~~

- ~~(1) New construction or substantial improvements (shall) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydro-dynamic and hydrostatic loads, including the effects of buoyancy;~~
- ~~(2) New construction and changes of existing structures below the minimum first floor elevation shall be constructed with materials and utility equipment resistant to flood damage;~~
- ~~(3) New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;~~
- ~~(4) All heating and air conditioning equipment and components, all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;~~
- ~~(5) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;~~
- ~~(6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;~~
- ~~(7) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;~~
- ~~(8) On-site waste disposal systems shall be located and constructed to avoid impairment or contamination during flooding;~~
- ~~(9) Any alteration, repair, reconstruction, or improvement to a structure which is not in compliance with the provisions of this chapter, shall be undertaken only if it is not considered a substantial improvement.~~

(a) Development Permit: Application for a development permit shall be made to the local administrator on forms furnished by him or her prior to any development activities. The development permit may include, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures; and the location of fill materials, storage areas, and drainage facilities. Specifically, the following information is required:

- (1) A plot plan that shows the 100-year floodplain contour or a statement that the entire lot is within the floodplain must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Federal Emergency

Management Agency or the floodplain identified pursuant to either the Duties and Responsibilities of the Local Administrators of Section 30-61.C or the Standards for Subdivision Proposals of Section 30-62.B.13 and the Standards for streams without Estimated Base Flood Elevations and/or Floodways of Section 30-62.C. The plot plan must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by it. The plot plan must show the floodway, if any, as identified by the Federal Emergency Management Agency or the floodway identified pursuant to either the duties or responsibilities of the local administrators of Section 30-61.C or the standards for subdivision proposals of Section 30-62.B.13 and the standards for streams without estimated base flood elevations and/or floodways of 30-62.C.

(2) Where base flood elevation data is provided as set forth in Section 30-04 or the duties and responsibilities of the local administrators of Section 30-61.C the application for a development permit within the flood hazard area shall show:

- a. the elevation (in relation to mean sea level) of the lowest floor of all new and substantially improved structures, and
- b. if the structure will be floodproofed in accordance with the Non-Residential Construction requirements of Section 30-61.B 2the elevation (in relation to mean sea level) to which the structure will be floodproofed.

(3) Where Base Flood Elevation Data Is Not Provided. If no base flood elevation data is provided as set forth in Section 30-04 or the duties and responsibilities of the local administrators of Section 30-61.C.11, then the provisions in the standards for streams without estimated base flood elevations and/or floodways of Section 30-62.C. must be met.

(4) Alteration of Watercourse: Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood- carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and, a map showing the location of the proposed watercourse alteration or relocation.

(b) Certifications

(1) Floodproofing Certification. When a structure is floodproofed, the applicant shall provide certification from a registered, professional engineer or architect that the non-residential, floodproofed structure meets the floodproofing criteria in the non-residential construction requirements of Article IV.B.2.

(2) Certification During Construction. A lowest floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the local administrator a certification of the elevation of the lowest floor, or floodproofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by it. Any work done prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. The permit holder immediately and prior to further progressive work being permitted to proceed shall correct deficiencies detected by such review. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

(3) As-built Certification. Upon completion of the development a registered professional engineer, land surveyor or architect, in accordance with SC law, shall certify according to the requirements of Section 30-61.B.1 and 2 that the development is built in accordance with the submitted plans and previous pre-development certifications.

(c) Duties and Responsibilities of the Local Administrator. Duties of the local administrator shall include, but not be limited to:

(1) Permit Review. Review all development permits to assure that the requirements of this ordinance have been satisfied.

(2) Requirement of Federal and/or state permits. Advise permittee that additional federal or State permits may be required, and if specific federal or State permits are known, require that copies of such permits be provided and maintained on file with the development permit.

(3) Watercourse alterations

a. Notify adjacent communities and the South Carolina Department of Natural Resources, Land Resources and Conservation Districts Division, State Coordinator for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

b. In addition to the notifications required watercourse alterations per Section 30-61.C.3a, written reports of maintenance records must be maintained to show that

maintenance has been provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. This maintenance must consist of a comprehensive program of periodic inspections, and routine channel clearing and dredging, or other related functions. The assurance shall consist of a description of maintenance activities, frequency of performance, and the local official responsible for maintenance performance. Records shall be kept on file for FEMA inspection.

c. If the proposed project will impact the configuration of the watercourse, floodway, or base flood elevation for which a detailed Flood Insurance Study has been developed, the applicant shall apply for and must receive approval for a Conditional Letter of Map Revision with the Federal Emergency Management Agency prior to the start of actual construction.

d. Within 60 days of completion of an alteration of a watercourse, the applicant shall submit as-built certification, by a registered professional engineer, to the Federal Emergency Management Agency.

(4) Floodway encroachments. Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Section 30-62.B.5 are met.

(5) Development Proposals. Require development proposals for proposed developments prior to signing off on and CLOMRs or LOMRs.

(6) Adjoining Floodplains. Cooperate with neighboring communities with respect to the management of adjoining floodplains and/or flood-related erosion areas in order to prevent aggravation of existing hazards.

(7) Notifying Adjacent Communities. Notify adjacent communities prior to permitting substantial commercial developments and large subdivisions to be undertaken in areas of special flood hazard and/or flood-related erosion hazards.

(8) Certification requirements

a. Obtain and review actual elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures, in accordance with administrative procedures outlined in Section 30-61.B.2.

b. Obtain the actual elevation (in relation to mean sea level) to which the new or

substantially improved structures have been floodproofed, in accordance with the floodproofing certification outlined in Section 30-61.B.1.

- c. When floodproofing is utilized for a non-residential structure, obtain certifications from a registered professional engineer or architect in accordance with the non-residential construction requirements outlined in Section 30-62.B.2.
- (9) Map Interpretation. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (10) Prevailing Authority. Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations for flood protection elevations (as found on an elevation profile, floodway data table, etc.) shall prevail. The correct information should be submitted to FEMA as per the map maintenance activity requirements outlined in Section 30-62.B.7.b.
- (11) Use Of Best Available Data. When base flood elevation data or floodway data has not been provided in accordance with Section 30-04, obtain, review, and reasonably utilize best available base flood elevation data and floodway data available from a federal, State, or other source, including data developed pursuant to the standards for subdivision proposals outlined in Section 30-62.B.13, in order to administer the provisions of this ordinance. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data from a federal, state, or other source. Data must be developed using hydraulic models meeting the minimum requirement of NFIP approved model. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.
- (12) Special Flood hazard Area/topographic Boundaries Conflict. When the exact location of boundaries of the areas special flood hazards conflict with the current, natural topography information at the site the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. The local administrator in the permit file will maintain a copy of the Letter of Map Amendment issued from FEMA.
- (13) On-Site inspections. Make on-site inspections of projects in accordance with the administrative procedures outlined in Section 30-61.D.
- (14) Administrative Notices. Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with the administrative procedures in Section 30-

61.D.4

- (15) Records Maintenance. Maintain all records pertaining to the administration of this ordinance and make these records available for public inspection.
- (16) Annexations and Detachments. Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, within six (6) months, of any annexations or detachments that include special flood hazard areas. The community must incorporate applicable maps from surrounding jurisdictions into this ordinance within 90 days of date of the annexation.
- (17) Federally Funded Development. The President issued Executive Order 11988, Floodplain Management May 1977. E.O. 11988 directs federal agencies to assert a leadership role in reducing flood losses and losses to environmental values served by floodplains. Proposed developments must go through an eight-step review process. Evidence of compliance with the executive order must be submitted as part of the permit review process.
- (18) Substantial Damage Determination. Perform an assessment of damage from any origin to the structure using FEMA's Residential Substantial Damage Estimator (RSDE) software to determine if the damage equals or exceeds 30 percent of the market value of the structure before the damage occurred.
- (19) Substantial Improvement Determinations. Perform an assessment of permit applications for improvements or repairs to be made to a building or structure equals or exceeds 30 percent of the market value of the structure before the improvement or repair is started. Cost of work counted for determining if and when substantial improvement to a structure occurs shall be cumulative for a period of five years. If the improvement project is conducted in phases the total of all cost associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur. Methods of Market Value Determination. The market values shall be determined by one of the following methods:
- a. the current assessed building value as determined by the county's assessor's office or the value of an appraisal performed by a licensed appraiser at the expense of the owner; or,
 - b. one or more certified appraisals from a registered professional licensed appraiser in accordance with the laws of South Carolina. The appraisal shall indicate actual replacement value of the building or structure in its pre-improvement condition, less depreciation for functionality and obsolescence and site improvements. The Marshall & Swift Residential Cost Handbook shall be used to determine costs for buildings or

structures.

- c. Real Estate purchase contract within 12 months prior to the date of the application for a permit.

(d) Administrative Procedures

- (1) Inspections of Work in Progress: As the work pursuant to a permit progresses, the local administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the administrator has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.
- (2) Stop-Work Orders: Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (3) Revocation of Permits: The local administrator may revoke and require the return of the development permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- (4) Periodic Inspections: The local administrator and each member of his inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (5) Violations to be Corrected: When the local administrator finds violations of applicable State and local laws, it shall be his duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.

- (6) Actions in Event of Failure to Take Corrective Action: If the owner of a building or property shall fail to take prompt corrective action, the administrator shall give him written notice, by certified or registered mail to his last known address or by personal service, that:
- a. the building or property is in violation of the Flood Damage Prevention Ordinance,
 - b. a hearing will be held before the local administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and,
 - c. following the hearing, the local administrator may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.
- (7) Order to Take Corrective Action: If, upon a hearing held pursuant to the notice prescribed above, the administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he shall make an order in writing to the owner, requiring the owner to remedy the violation within such period, not less than 60 days, the administrator may prescribe; provided that where the administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.
- (8) Appeal: Any owner who has received an order to take corrective action may appeal from the order to the local elected governing body by giving notice of appeal in writing to the administrator and the clerk within 10 days following issuance of the final order. In the absence of an appeal, the order of the administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (9) Failure to Comply with Order: If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the governing body following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.
- (10) Denial of Flood Insurance under the NFIP: If a structure is declared in violation of this ordinance and the violation is not remedied then the local administrator shall notify the Federal Emergency Management Agency to initiate a Section 1316 of the National Flood insurance Act of 1968 action against the structure upon the finding that the violator refuses to bring the violation into compliance with the ordinance. Once a violation has been remedied the local administrator shall notify FEMA of the remedy and ask that the Section 1316 be

rescinded.

(11) The following documents are incorporated by reference and may be used by the local administrator to provide further guidance and interpretation of this ordinance as found on FEMA's website at www.fema.gov:

- a. All FEMA Technical Bulletins
- b. All FEMA Floodplain Management Bulletins
- c. FEMA 348 Protecting Building Utilities from Flood Damage

Sec. 30-62. Specific development standards.

In all areas of special flood hazard where base flood elevation data are available, the following shall be required:

~~(1) Residential construction. New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than one foot above the base flood elevation. A pre-construction and post-construction flood elevation certificate shall be submitted. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, creating a fully enclosed area, said enclosed area shall:~~

- ~~a. Be designed to preclude permanent living space;~~
- ~~b. Be useable solely for parking vehicles, building access, or storage;~~
- ~~e. Include openings sufficient to facilitate unimpeded movement of flood waters and/or be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of floodwaters.~~

~~Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:~~

- ~~a. Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;~~
- ~~b. The bottom of all openings shall be no higher than one foot above grade;~~
- ~~e. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;~~
- ~~d. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side.~~

~~(2) Nonresidential construction. New construction or substantial improvements of any commercial, industrial, or non-residential structure shall have the lowest floor elevated no lower than one foot above the level of the base flood elevation. No basements are permitted. Structures located in A-zones may be floodproofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Agricultural structures may be wet floodproofed in accord with Technical Bulletin 7-93, Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program document number FIA-TB-7.~~

~~(3) Temporary development. All applicants of a temporary use must submit to the zoning administrator, prior to the issuance of a development permit, a written plan for the removal of any temporary use or structure in the event of a hurricane or flash flood warning notification. The plan shall be reviewed and approved in writing, and must include the following information:~~

- ~~a. A specified time for which the temporary use will be permitted;~~
- ~~b. The name, address, and phone number of the individual responsible for the removal of said use;~~
- ~~c. The time frame prior to the event at which any structure will be removed (i.e. minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);~~
- ~~d. A copy of a contract or other suitable instrument with a trucking company to insure the availability of removal equipment when needed;~~
- ~~e. Designation, accompanied by documentation, of a location outside the floodplain to which said temporary structure will be moved;~~
- ~~f. A plan to restore the area to its natural condition once the temporary permit expires or the temporary use is terminated, whichever is first.~~

~~(4) Accessory structures. An accessory structure, the cost of which is greater than \$3,000.00, must comply with the elevated structure requirements of this section. When accessory structures of \$3,000.00 or less are to be placed in the floodplain, such structure shall:~~

- ~~a. Not be used for human habitation (including working, sleeping, living, cooking, or restroom areas); and~~
- ~~b. Be designed to have low flood damage potential, be constructed and placed on the building site so as to offer minimum resistance to floodwaters, and be firmly anchored to prevent flotation, collapse, or lateral movement.~~

~~(5) Floodways. The following provisions shall apply within floodways:~~

- ~~a. No encroachments, including fill, new construction, substantial improvements, additions, or other developments shall be permitted unless it has been demonstrated through hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of a base flood.~~
 - ~~b. Where no such increase is certified, new construction and substantial improvements may be permitted in compliance with the requirements of this section.~~
- ~~(6) Standards for streams and/or floodways without established base flood elevations. Development contiguous to small streams where no base flood data have been provided or where no floodways have been identified shall adhere to the following:~~
 - ~~a. No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of base flood discharge.~~
 - ~~b. Where no such increase is certified, new construction and substantial improvements may be allowed within such areas provided all applicable provisions of this section are satisfied.~~
 - ~~c. If subsections a. and b. above have been satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of article II, division 3 and shall be elevated or flood proofed in accordance with the elevations established. In the absence of FEMA base flood elevation data and floodway data, obtain, review, and reasonably utilize other base flood elevation and other floodway data as a basis for elevating residential structures to or above the base flood level, and for flood proofing or elevating non-residential structures to or above the base flood level. Data from preliminary, draft and flood insurance studies constitutes best available data. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used. When base flood elevation data is not available from a federal, state or other source, the lowest floor shall be elevated at least three feet above the highest adjacent grade.~~
 - ~~d. Where base flood elevation data is utilized in Zone A from another source, the administrator will obtain and maintain records of the lowest floor and flood proofing elevation for new and substantially improved construction.~~
- ~~(7) Standards for subdivision proposals.~~
 - ~~a. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. An~~

~~access road at or above the base flood elevation shall be provided to allow emergency access during flood conditions;~~

~~b. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards;~~

~~e. Base flood elevation data shall be provided for subdivision proposals and other proposed developments greater than the lesser of five lots or five acres.~~

~~(8) Standards for areas of shallow flooding (AO zones). Development within areas subject to shallow flooding in zone A and AO require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures and shall adhere to the general and specific development standards of this section.~~

~~(9) Recreational vehicles. In A or AE zones, all recreational vehicles to be placed on a site must (a) be elevated and anchored to meet requirements of section 30-61 and 30-62; or (b) be on-site for less than 180 consecutive days; or (c) be fully licensed and highway ready. A recreational vehicle is ready for highway use if it is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.~~

~~(10) Manufactured homes:~~

~~a. Manufactured homes that are placed or substantially improved within Zones A or AE, which meet one of the following location criteria, are to be elevated such that the lowest floor is to or above (one foot) above the base flood elevation and be securely anchored: (a) outside a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; (d) on site in an existing park which a manufactured home has incurred substantial damage as a result of a flood.~~

~~b. Where manufactured homes are not subject to section 30-62(10)a. the manufactured home will: (a) be elevated so the lowest floor of the manufactured home is at or above (1 foot) above the base flood elevation; (b) when no base flood elevation is established the manufactured home chassis is to be supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.~~

(a) General Standards. Development may not occur in the floodplain where alternative locations exist due to the inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. In all areas of special flood hazard the following provisions are required:

(1) Anchoring. All new construction and substantial improvements shall be anchored to

prevent flotation, collapse, or lateral movement of the structure.

- (2) Flood Resistant Materials and Equipment. All new construction and substantial improvements shall be constructed with flood resistant materials and utility equipment resistant to flood damage.
- (3) Minimize Flood Damage. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) Critical Development. shall be elevated to the 500 year flood elevation or be elevated to the highest known historical flood elevation (where records are available), whichever is greater. If no data exists establishing the 500 year flood elevation or the highest known historical flood elevation, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates 500 year flood elevation data.
- (5) Utilities. Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of the base flood plus 1 ft. This requirement does not preclude the installation of outdoor faucets for shower heads, sinks, hoses, etc., as long as cut off devices and back flow devices are installed to prevent contamination to the service components and thereby minimize any flood damages to the building.
- (6) Water Supply Systems. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (7) Sanitary Sewage Systems. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Gas Or Liquid Storage Tanks. All gas or liquid storage tanks, either located above ground or buried, shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.
- (9) Alteration, Repair, Reconstruction, Or Improvements. Any alteration, repair, reconstruction, or improvement to a structure that is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance. This includes post-FIRM development and structures.

- (10) Non-Conforming Buildings or Uses. Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- (11) American with Disabilities Act (ADA). A building must meet the specific standards for floodplain construction outlined in Section 30-62.B, as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.
- (b) Specific Standards. In all areas of special flood hazard (Zones A, AE,) where base flood elevation data has been provided, as set forth in section 30-04 or outlined in the Duties and Responsibilities of the Local Administrator Section 30-61.C, the following provisions are required:
- (1) Residential Construction. New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than 1 foot above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the elevated buildings requirements in Section 30-62 B.4.
- (2) Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes) shall have the lowest floor elevated no lower than 1 foot above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the elevated buildings requirements in Section 30-62 B.4. No basements are permitted. Structures located in A-zones may be floodproofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in the floodproofing certification

requirements in Section 30-61A.2.a. A variance may be considered for wet-floodproofing agricultural structures in accordance with the criteria outlined in Section 30-63.D of this ordinance. Agricultural structures not meeting the criteria of Section 30-63.D must meet the non-residential construction standards and all other applicable provisions of this ordinance. Structures that are floodproofed are required to have an approved maintenance plan with an annual exercise. The local administrator must approve the maintenance plan and notification of the annual exercise shall be provided to it.

(3) *Manufactured Homes.*

- a. Manufactured homes that are placed or substantially improved on sites outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than 1 foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- b. Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions for residential construction in Section 30-62.B.1 of this ordinance must be elevated so that the lowest floor of the manufactured home is elevated no lower 1 foot than above the base flood elevation, and be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement.
- c. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse, or lateral movement in accordance with Section 19-425.39 of the *South Carolina Manufactured Housing Board Regulations*, effective date May 25, 1990, as amended. Additionally, when the elevation requirement would be met by an elevation of the chassis at least 36 inches or less above the grade at the sight, reinforced piers or other foundation elements of at least equivalent strength shall support the chassis. When the elevation of the chassis is above 36 inches in height an engineering certification is required.
- d. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the local administrator and the Florence County Emergency Management Department.

(4) Elevated Buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas that are usable solely for the parking of vehicles, building access, or limited storage in an area other than a basement, and which are subject to flooding shall be designed to preclude finished space and be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

a. Designs for complying with this requirement must either be certified by a professional engineer or architect and meet the following minimum criteria:

1. Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.

2. The bottom of all openings shall be no higher than one foot above grade.

3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions; and.

4. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.

b. Hazardous Velocities. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than 5 feet per second), foundation systems other than solid foundations walls should be considered so that obstructions to damaging flood flows are minimized.

c. Enclosures below BFE.

1. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

2. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose a single storage area and must be void of utilities except for essential lighting as required, and cannot be temperature controlled.

3. One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in the specific standards outlined in Section 30-62.B.1, 2 and 3.

4. All construction materials below the required lowest floor elevation specified in the specific standards outlined in section 30-62.B 1, 2 and 3 should be of flood resistant materials.

(5) Floodways. Located within areas of special flood hazard established in Section 30-4, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles and has erosion potential. The following provisions shall apply within such areas:

a. No encroachments, including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the local administrator.

b. If Section 30-62.B.5a is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 30-62.

c. Stream crossings for any purpose (i.e. timber harvesting operations), if temporary, shall be permitted in accordance with floodway requirements of Section 30-62.B.5 and the temporary development provisions of Section 30-62.B.11. Otherwise, the development shall comply with all applicable flood hazard reduction provisions of Section 30-62.

d. No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of Section 30-62 B.3 are met.

e. Permissible uses within floodways may include: general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. Also, lawns, gardens, play areas, picnic grounds, and hiking and horseback riding trails are acceptable uses, provided that they do not employ structures or fill. Substantial development of a permissible use may require a no-

impact certification. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations or changes to the floodway configuration.

(6) Recreational Vehicles.

a. A recreational vehicle is ready for highway use if it is:

1. on wheels or jacking system;
2. attached to the site only by quick-disconnect type utilities and security devices; and,
3. has no permanently attached additions.

b. Recreational vehicles placed on sites shall either be:

1. on site for fewer than 180 consecutive days; and,
2. be fully licensed and ready for highway use, or meet the development permit and certification requirements of Section 30-61.A, general standards outlined in Section 30-62.A, and manufacture homes standards in Section 30-62.B.3.

(7) Map Maintenance Activities. The National Flood Insurance Program requires flood data to be reviewed and approved by FEMA. This ensures that flood maps, studies and other data identified in Section 30-4 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

a. Requirement to Submit New Technical Data

1. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:
 - i. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;

- ii. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
 - iii. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
 - iv. Subdivision or large scale development proposals requiring the establishment of base flood elevations in accordance with Section 30-62.B.12.d.
2. It is the responsibility of the applicant to have technical data, required in accordance with Section 30-62.B.7, prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall also be the responsibility of the applicant.
 3. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
 4. Proposed floodway encroachments that increase the base flood elevation; and
 5. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.
 6. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 30-62 B.7.
 7. Conditional Letter of Map revisions (CLOMR) and/or Letters of Map Revision (LOMR) must go through the variance process outlined in Section 30-63.
- b. Right to Submit New Technical Data. The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the local jurisdiction and may be submitted at any time.

(8) Accessory Structures.

a. A detached accessory structure or garage, the cost of which is greater than \$3,000, must comply with the requirements as outlined in FEMA's Technical Bulletin 7-93 Wet Floodproofing Requirements or be elevated in accordance with Section 30-62.B.1 and B.4 or dry floodproofed in accordance with Section 30-62.B.2.

b. When accessory structures of \$3,000 or less are to be placed in the floodplain, the following additional criteria shall be met:

1. Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas).

2. Accessory structures shall be designed to have low flood damage potential.

3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

4. Accessory structures shall be firmly anchored to prevent flotation, collapse or lateral movement of the structure.

5. Service facilities such as electrical and heating equipment shall be installed in accordance with Section 30-62.A.5; and

6. Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with Section 30-62.B.4a

(9) Swimming Pool Utility Equipment Rooms. If the building cannot be built at or above the BFE, because of functionality of the equipment then a structure to house the utilities for the pool may be built below the BFE with the following provisions:

a. Meet the requirements for accessory structures in Section 30-62.B.8

b. The utilities must be anchored to prevent flotation and shall be designed to prevent water from entering or accumulating within the components during conditions of the base flood.

c. A variance may be granted to allow wet floodproofing of the structure.

(10) Elevators.

- a. Install a float switch system or another system that provides the same level of safety is necessary for all elevators where there is a potential for the elevator cab to descend below the BFE during a flood per FEMA's Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.
- b. All equipment that may have to be installed below the BFE such as counter weight roller guides, compensation cable and pulleys, and oil buffers for traction elevators and the jack assembly for a hydraulic elevator must be constructed using flood-resistant materials where possible per FEMA's Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.

(11) Temporary Development. Certain types of structures (e.g. fruit stands, construction site offices, portable toilets, etc.) may be situated temporarily on flood-prone property without having to comply with the elevation or floodproofing criteria of Section 30-62.B.1 and Section 30-62 B.2, respectively, provided that the following criteria are met:

- a. All applicants must submit to the local administrator, prior to the issuance of the development permit, a written plan for the removal of any temporary structures or development in the event of a hurricane or flash flood warning notification. The plan shall be reviewed and approved in writing, and must include the following information:
 1. a specified time period for which the temporary use will be permitted,
 2. the name, address and phone number of the individual responsible for the removal of temporary structures or development;
 3. the time frame prior to the event at which any structures will be removed (i.e. minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
 4. a copy of the contract or other suitable instrument with a trucking company to insure the availability of removal equipment when needed,
 5. designation, accompanied by documentation, of a location outside the floodplain to which any temporary structure will be moved;
 6. a determination of permanent structures which would be adversely affected by

increased flooding upstream or downstream, and a method for covering this liability, such as a performance bond; and,

7. a plan to restore the area to its natural condition once the temporary permit expires or the temporary use is terminated, whichever is first.

b. The structure is mobile, or can be made so, and is capable of being removed from the site with a maximum of four (4) hours warning.

c. The structure will not remain on the property for more than 180 days.

(12) Fill. An applicant shall demonstrate that fill is the only alternative to raising the building to meet the residential and non-residential construction requirements of Section 30-62.B.1 or B.2, and that the amount of fill used will not affect the flood storage capacity or adversely affect adjacent properties. The following provisions shall apply to all fill placed in the special flood hazard area:

a. Fill may not be placed in the floodway unless it is in accordance with the requirements in Section 30-62.B.5a.

b. Fill may not be placed in tidal or non-tidal wetlands without the required State and federal permits.

c. Fill must consist of soil and rock materials only. A registered professional geotechnical engineer may use dredged material as fill only upon certification of suitability. Landfills, rubble fills, dumps, and sanitary fills are not permitted in the floodplain.

d. Fill used to support structures must comply with ASTM Standard D-698, and its suitability to support structures certified by a registered, professional engineer.

e. Fill slopes shall be no greater than two horizontal to one vertical. Flatter slopes may be required where velocities may result in erosion; and,

f. The use of fill shall not increase flooding or cause drainage problems on neighboring properties.

g. Will meet the requirements of FEMA Technical Bulletin 10-01, Ensuring That Structures Built On Fill In Or Near Special Flood Hazard Areas Are Reasonable Safe From

Flooding.

(13) Standards for Subdivision Proposals.

- a. All subdivision proposals shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
- d. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.
- e. If the areas of special flood hazard is identified as an area of open space and is deeded as such then a hydrologic and hydraulic engineering analysis that generates base flood elevations for the subdivision proposal would not be required.
- f. The applicant shall meet the requirement to submit technical data to FEMA in Section 30-62.B.7. when a hydrologic and hydraulic analysis is completed that generates base flood elevations.

(c) Standards for Streams without Established Base Flood Elevations and/or Floodways: Located within the areas of special flood hazard (Zones A and V) established in Section 30-4, are small streams where no base flood data has been provided or where no floodways have been identified. The following provisions apply within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(2) If Section 30-62.C.1 is satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of Section 30-62 and shall be elevated or floodproofed in accordance with elevations established in accordance with Section 30-61..11.

(3) Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data. Refer to FEMA Floodplain Management Technical Bulletin 1-98 *Use of Flood Insurance Study (FIS) Data as Available Data*. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.

(4) When base flood elevation data is not available from a federal, State, or other source one of the following methods may be used to determine a BFE. For further information regarding the methods for determining BFEs listed below refer to FEMA's manual *Managing Floodplain Development in Approximate Zone A Areas*.

a. *Contour Interpolation*

1. Superimpose approximate Zone A boundaries onto a topographic map and estimate a BFE.
2. Add one-half of the contour interval of the topographic map that is used to the BFE.

b. *Data Extrapolation*. A BFE can be determined if a site within 500 feet upstream of a reach of a stream reach for which a 100-year profile has been computed by detailed methods, and the floodplain and channel bottom slope characteristics are relatively similar to the downstream reaches.

c. *Hydrologic and Hydraulic Calculations*. Perform hydrologic and hydraulic calculations to determine BFEs using FEMA approved methods and software. These methods include, but are not limited to the following:

1. HEC-RAS 3.1.1 and up
2. HEC-1 4.0.1 and up
3. HEC-2 4.6.2
4. HEC-HMS 1.1 and up
5. FLO-2D

6. QUICK-2

7. SFD

8. WSPRO

(d) Standards for Streams with Established Base Flood Elevations but without Floodways. Along rivers and streams where Base Flood Elevation (BFE) data is provided but neither floodway are identified for a Special Flood Hazard Area on the FIRM or in the FIS. The following provisions apply within such areas:

(1) No encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Sec. 30-63. ~~Warning and disclaimer of liability.~~ Variance Procedures for Flood plain Development

(a) Establishment of Appeal Board. The Construction Board of Adjustment and Appeals as established by Florence County shall hear and decide requests for variances from the requirements of Division 4 Flood Hazard District of the Florence County Zoning Ordinance.

(b) Right to Appeal. Any person aggrieved by the decision of the appeal board or any taxpayer may appeal such decision to the Court.

(c) Historic Structures. Variances may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(d) Agricultural Structures. Variances may be issued to wet floodproof an agricultural structure in accordance with Technical Bulletin 7-93, *Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in accordance with the National Flood Insurance Program*, document number FIA-TB-7, dated 12/93, and available from the Federal Emergency Management Agency. In order to minimize flood damages during the base flood and the threat to public health and safety, the structure must meet all of the conditions and considerations of Article V.H, this section, and the following standards:

(1) Use of the structure must be limited to agricultural purposes as listed below:

- a. pole frame buildings with open or closed sides used exclusively for the storage of farm machinery and equipment.
 - b. steel grain bins and steel frame corncribs.
 - c. general-purpose barns for the temporary feeding of livestock that are open on at least one side;
 - d. for livestock confinement buildings, poultry houses, dairy operations, and similar livestock operations, variances may not be issued for structures that were substantially damaged. New construction or substantial improvement of such structures must meet the elevation requirements of Section 30-62.B.2 of this ordinance; and,
 - e. detached garages and storage sheds solely used for parking and limited storage in connection with agricultural uses only, which are no greater than 400 square feet in area.
- (2) The agricultural structure must be built or rebuilt, in the case of an existing building that is substantially damaged, with flood-resistant materials for the exterior and interior building components and elements below the base flood elevation;
- (3) the agricultural structure must be adequately anchored to prevent flotation, collapse, or lateral movement. All of the structure's components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, hydrodynamic, and debris impact forces. Where flood velocities exceed 5 feet per second, fast-flowing floodwaters can exert considerable pressure on the building's enclosure walls or foundation walls;
- (4) the agricultural structure must meet the venting requirement of Section 30-62.B.4 of this ordinance;
- (5) any mechanical, electrical, or other utility equipment must be located above the base flood elevation so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with section 30-62.A.5 of this ordinance;
- (6) the agricultural structure must comply with the floodway encroachment provisions of Section 30-62.B.5 of this ordinance; and,

(7) major equipment, machinery, or other contents must be protected. Such protection may include protective watertight floodproofed areas within the building, the use of equipment hoists for readily elevating contents, permanently elevating contents on pedestals or shelves above the base flood elevation, or determining that property owners can safely remove contents without risk to lives and that the contents will be located to a specified site out of the floodplain in accordance with the temporary development provisions of Section 30-62.B.11.

(e) Considerations. In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

- (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, and the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (3) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (4) the importance of the services provided by the proposed facility to the community;
- (5) the necessity to the facility of a waterfront location, where applicable;
- (6) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- (7) 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;
- (8) 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;
- (9) 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 and,
- (10) 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.

(f) Findings. Findings listed above shall be submitted to the appeal board, in writing, and included in the application for a variance. Additionally, comments from the Department of Natural Resources, Land, Water and Conservation Division, State Coordinator's Office, must be taken into account and included in the permit file.

(g) Floodways. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result unless a CLOMR is obtained prior to issuance of the variance. In order to insure the project is built in compliance with the CLOMR for which the variance is granted the applicant must provide a bond for 100% of the cost to perform the development.

(h) Conditions. 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 as it deems necessary to further the purposes of this ordinance. The following conditions shall apply to all variances:

(1) Variances may not be issued when the variance will make the structure in violation of other federal, State, or local laws, regulations, or ordinances.

(2) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(3) 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.

(4) 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.

(5) The local administrator shall maintain the records of all appeal actions and report any

variances to the Federal Emergency Management Agency upon request.

- (6) Variances shall not be issued for unpermitted development or other development that is not in compliance with the provisions of this ordinance. Violations must be corrected in accordance with Section 30-61.D.5 of this ordinance.

Sec. 30-64. Warning and disclaimer of liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the participating governments or by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

Sec. 30-311. Definitions.

Words not defined herein shall have the meanings stated in the Standard Building Code, Standard Plumbing Code, Standard Gas Code, or Standard Fire Prevention Code. Words not defined in the Standard Codes shall have the meanings in Webster's Ninth New Collegiate Dictionary, as revised.

Words in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.

The word "shall" is always mandatory.

The word "may" is permissive.

The word "lot" includes the word "plot" or "parcel."

The word "person" includes a firm, association, organization, partnership, trust company, or corporation, as well as an individual.

The word "used" or "occupied" as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."

The word "map" or "zoning map" shall mean the Official Zoning Maps of Florence County.

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

The term "council" refers to the legally elected governing bodies of Florence County.

The term "council of jurisdiction" refers to the council with legal authority to act within a political jurisdiction.

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

Other words and terms defined herein are as follows:

Abutting. Sharing a common border; physically touching.

Accessory Structure. structures that are located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

Addition (to an existing building). an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a firewall or load-bearing wall is provided between the addition and the existing building, only the addition(s) shall be considered a separate building and must comply with the standards of the ordinance at time of construction.

Agricultural structure. a structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from the provisions of this ordinance.

Airport elevation. The established elevation of the highest point on the usable landing area.

Airport hazard. Any structure, tree, or use of land which obstructs the airspace required for, or is otherwise hazardous to the flight of aircraft in landing or taking off at the airport.

Airport reference point. The point established as the appropriate geographic center of the airport landing areas and so designated.

Appeal. a request for a review of the local administrator's interpretation of any provision of this ordinance.

Area of shallow flooding. A designated AO or VO zone shown on flood insurance rate maps (FIRM) with base flood depths of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard. The land in the flood plain subject to a one percent or greater chance of flooding in any given year.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Basement. means any enclosed area of a building that is below grade on all sides.

Bed and breakfast inn. Any owner-occupied dwelling or portion thereof offering rooms and meals at breakfast to transient lodgers in return for compensation.

Buildable area. That portion of any lot which may be used or built upon in accordance with the regulations governing the zoning district within which the lot is located when the front, side and rear yard, open space, and applicable buffer area requirements have been met.

Building, accessory. A subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use. Included in this definition are private garages, storage sheds, workshops, animal shelters, pool houses, etc., when detached from the principal buildings, and carports attached to the principal building when at least 75 percent open or unenclosed.

Building, alteration. Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

Building, principal. A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

Canopy tree. A deciduous tree that forms the top layer of vegetation in a forest. Examples of such trees include oaks, hickories, maples, poplars, and others.

Certificate of occupancy. A document allowing the occupancy or use of a building or certifying that the structure or use has been constructed or will be used in compliance with all applicable provisions of this chapter and the building code.

Certificate of zoning compliance. A document certifying that a proposed use meets all requirements of this chapter.

Child day care services. Where permitted as an accessory use shall mean a home in which care is given by a family member and no others during the day only for one and not more than six children, including the day care parents' own children.

Club, private. An organization catering exclusively to members and their guests including buildings and grounds with commercial activities serving the membership only.

Cluster development. A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Color, fluorescent. Highly reflective color or colors with pigments that serve to intensify brightness. Colors which are considered exceptionally bright, reflective, neon, and/or luminescent. These include bright, yellow, bright orange, bright pink, and bright green.

Conditional use. A use of land or structure which is permitted in a district under conditions specified in the Zoning Ordinance.

Condominium. A unit in a multi-unit structure owned by an individual who has use of all common areas associated with that structure.

Critical Development. Development that is critical to the community's public health and safety, is essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical development include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

Day care services. Day care services shall mean and include any home, center, agency, or place, however styled, where children, elderly, and other persons not related to the operator are received for custodial care, apart from their parents, whether for compensation, reward, or otherwise during part or all of the day or any number of successive days.

Density. The number of dwelling units per acre of land developed or used for residential purposes. Density requirements in this chapter are expressed in dwelling units per gross acre; that is, per acre of land devoted to residential use is based on the total land area within a development tract or subdivision, excluding nothing.

Developer. An individual, partnership, or corporation (or agent therefore) that undertakes the activities covered by these regulations.

Development. Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.

DHEC. South Carolina Department of Health and Environmental Control.

Domestic animal shelter. A pen, shelter, or structure where no more than three dogs or small domestic animals, not to include horses, cows, goats, swine including pot bellied pigs, sheep, ponies, grazing animals, and fowl of any kind, are boarded and kept.

Drainage. The removal of surface water or groundwater from land by drains, grading, or other means.

Driveway. A paved or unpaved area used for ingress and egress of vehicles, and allowing access from a street to a building or other structure or facility.

Dwelling. A building or portion of a building arranged or designed exclusively for human habitation.

Dwelling, apartment. (See "Dwelling, multi-unit").

Dwelling, detached. A single dwelling unit, surrounded by open space or yards and which is not attached to any other dwelling by any means.

Dwelling, duplex. A building containing two dwelling units.

Dwelling, group occupied. A dwelling unit occupied by five or more individuals unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit.

Dwelling, mobile home. A single family dwelling that is wholly, or in substantial part, fabricated in an off-site manufacturing facility for installation or assembly at the building site, designed to be a permanent residence, and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards, June 15, 1976.

Dwelling, multi-family. A building containing five or more dwelling units.

Dwelling, patio house. A single-family detached or semi-detached dwelling unit. It is built on a small lot generally enclosed by walls which provide privacy. The term is synonymous with zero lot line dwellings.

Dwelling, quadraplex. A building containing four dwelling units.

Dwelling, residential designed manufactured home. A single-family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (Title 24, Code of Federal Regulations [CFR], Part 3280) HUD Code, which:

- a. Has a minimum width over 25 feet (multiple-section);
- b. Has a minimum of 1,100 square feet of enclosed living area;
- c. Has a minimum 2.0:12 roof pitch; and has a type of shingle commonly used in standard residential construction;
- d. Is covered with an exterior material customarily used on site built homes, including vinyl or aluminum lap siding, wood, masonite, or other materials similar to the exterior siding commonly used in standard residential construction;

- e. Has an entry landing that conforms to the minimum requirement of the current edition of the SC State Residential Building Code.

Dwelling, single-family. A building containing one dwelling unit.

Dwelling, standard designed manufactured home. A single family dwelling unit built according to the Federal Manufactured Housing Construction and Safety Standards (24 CFR 3280) HUD Code, which does not meet the definition of a "residential designed manufactured home."

Dwelling, townhouse. A series of attached single-family dwelling units on separate lots which may or may not have a common roof and are separated from each other by common vertical walls.

Dwelling, triplex. A single building containing three dwelling units.

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.

Dwelling, zero lot line. A zero lot line dwelling is a single family detached unit which instead of being centered on a lot, is placed against at least one of the side lot lines. The term is synonymous with patio homes.

Easement. A right-of-way granted to another party for specific limited use.

Elevated building. A non-basement building constructed to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, (post and piers), shear walls, or breakaway walls.

Evergreen tree. A coniferous or deciduous tree that remains green throughout the year.

Executive Order 11988 (Floodplain Management). Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

Existing construction. means, for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM, or before January 1, 1975, for FIRMs effective before that date.

Existing manufactured home park or manufactured home subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before September 22, 1982.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).

Family. One or more persons related by blood, marriage, adoption, or guardianship, and not more than four persons not so related, except that mentally and physically handicapped persons for whom care is provided on a 24-hour basis shall be construed to be a family, in accord with the provisions of S.C. Code 1976, § 6-7-830.

Federal Manufactured Home Construction and Safety Standards. Regulations promulgated by the Department of Housing and Urban Development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency, and quality of manufactured housing. These standards also set performance requirements for heating, plumbing, air conditions, thermal, and electrical systems.

Flood. A general and temporary condition of partial or complete inundation of normally dry land areas.

Flood hazard boundary map (FHBM). An official map issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard are defined.

Flood insurance rate map (FIRM). An official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones.

Flood insurance study. An official study provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodproofing. Means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood-resistant material. Any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage which requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2-93, Flood-Resistant Materials for Buildings Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program, document number

FIA-TB-2, dated 4/93, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

Floodway. The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor. The top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include floor of a garage used solely for parking vehicles.

Floor area ratio. An intensity measure of land use derived at by dividing the total floor area of a building by the total site area.

Freeboard. a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Functionally dependent facility. a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Garage, private. (As defined by the Standard Building Code.)

Garage, public. (As defined by the Standard Building Code.)

Gross floor area (GFA). The sum of the floor area for each of a building's stories measured from the exterior limits of the faces of the structure, including basement floor area. It does not include unenclosed porches or any floor space in an accessory building or in the principal building which is designed for parking of motor vehicles.

Habitable dwelling. A dwelling meeting the minimum habitability requirements of this chapter, and other applicable regulations.

Hazard to air navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height. The vertical distance of a structure or vegetation.

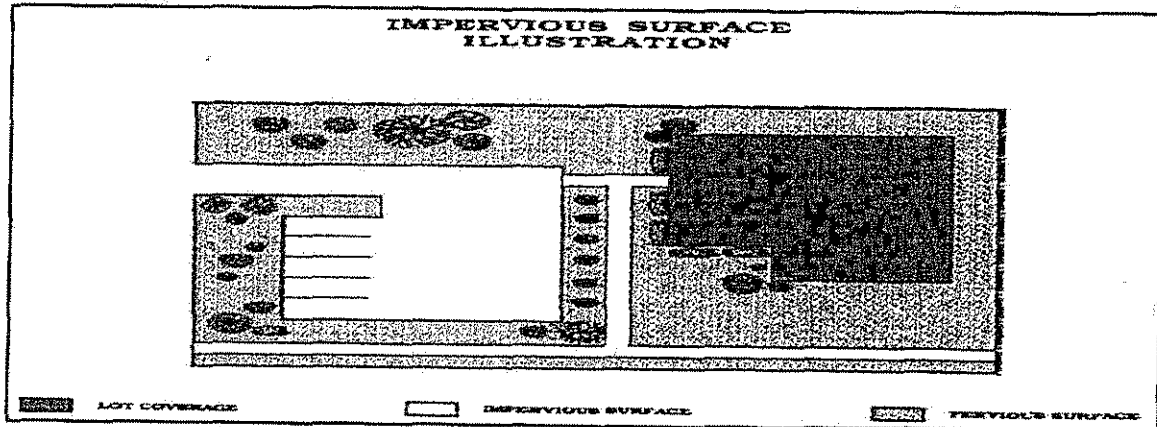
Highest adjacent grade. The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

Historic structure. Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a State inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved State program as determined by the Secretary of Interior, or (2) directly by the Secretary of Interior in states without approved programs. Some structures or districts listed on the State or local inventories MAY NOT be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "Historic" structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

Home occupation. Any occupation within a dwelling, including a hobby and clearly incidental thereto, carried on by a member or members of the family residing on the premises.

Impervious surface. Impervious surfaces are those that do not absorb water. All buildings, paved parking areas, driveways, roads, sidewalks, and any areas in concrete or asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the zoning administrator to be impervious within the meaning of this definition also will be classed as impervious surfaces.

Impervious surface ratio. The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the total site area.



Impervious Surface

Improvement. Any man-made immovable item which becomes part of, placed upon, or is affixed to real estate.

Increased Cost of Compliance (ICC). applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

Instrument runway. A runway equipped or to be equipped with a precision electronic navigation aid or landing aid or other air navigation facilities suitable to permit the landing of aircraft by an instrument approach under restricted visibility conditions.

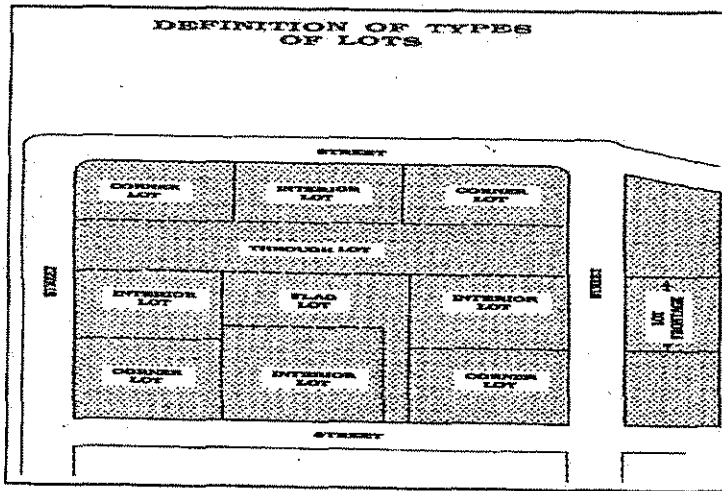
Junk or salvage. Any materials consisting of waste, discarded or salvage matter which is bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than 72 hours whether for repair or not. The term junk shall also mean, but not be limited to old or scrap copper, brass, aluminum, rope, rags, paper, trash, tire carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

Junk or salvage yard. Any premises where salvage or junk as defined herein are found and have been permitted to remain with the consent of the owner, lessee, or person(s) responsible for maintenance of such premises.

Larger than utility runway. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Limited storage. an area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zone it must meet the requirements of Article IV.A.4 of this ordinance. If the area is located below the base flood elevation in a V, VE and V1-V30 zone it must meet the requirements of Article IV.F of this ordinance.

Lot. A piece of land considered as a unit whose boundaries are established by a recorded deed and, where existing, a recorded plat. The terms "lot", "lot of record", "property" or "tract", whenever used in this chapter are interchangeable. In addition, a lot is not considered a separate piece of land until the property is legally separated from the parent parcel or tract by means of a recorded deed and is given a separate tax parcel number, as assigned by the Florence County Tax Assessor's Office.



Types of lots

Lot, corner. A lot located at the intersection of two or more streets.

Lot, through or double frontage. A lot which has frontage on more than one street.

Lot, interior. A lot, other than a corner lot, which has frontage on only one street other than an alley.

Lot, depth. The horizontal distance between front and rear lot lines.

Lot of record. A lot, the boundaries of which are filed as legal record.

Lot, width. The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

Lot area. The area contained within the boundary line of a lot.

Lot line. A line bounding a lot which divides one lot from another or from a street or any other public or private space.

Lowest Adjacent Grade (LAG). is an elevation of the lowest ground surface that touches any of the exterior walls of a building or proposed building walls.

Lowest Floor. The lowest floor of the lowest enclosed area. Any unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor provided that such an enclosure is not built so as to render the structure in violation of other provisions of this ordinance.

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured home park or manufactured home subdivision. A lot or a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale that include improvements and utilities for the long-term parking of three or more manufactured homes which may include services and facilities for the residents.

Manufactured home park space. A plot or ground within a manufactured home park designed for the accommodation of one unit.

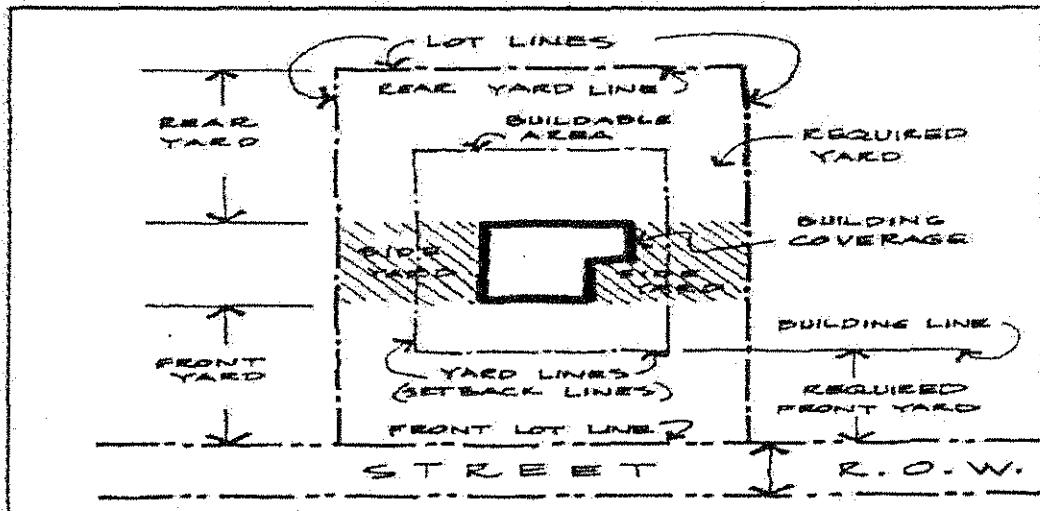
Mean Sea Level. the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Minimum required setback line. The line where the required yard and buildable area meet. More specifically:

Front yard setback line: The line where the front yard and buildable area of a lot meet.

Rear yard setback line: The line where the rear yard and buildable area of a lot meet.

Side yard setback line: The line where the side yard and buildable area of a lot meet.



Mini-warehouse. A building or group of buildings in a controlled-access and fenced compound that contains individual, compartmentalized and controlled-access stalls or lockers for the dead storage of customer's goods or wares.

Mixed occupancy. Any building that is used for two or more occupancies classified by different occupancy use groups.

Modular building unit or modular structure. Any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection. When meeting the requirements of the Modular Building's Construction Act (23-43-10 of the S. C. Code of Laws), said building unit or structure may be located in any zoning district.

National Geodetic Vertical Datum (NGVD). as corrected in 1929, elevation reference points set by National Geodetic Survey based on mean sea level.

New construction. Structure for which the start of construction commenced after (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date). The term also includes any subsequent improvements to such structure.

New manufactured home park or manufactured home subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after September 22, 1982.

Nonconformity. A nonconformity is any lot of record, use, building, structure or vegetation in existence prior to the effective date of this chapter, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the chapter.

Non-residential use. A principal use of land for other than residential purposes, i.e. commercial, industrial, institutional.

North American Vertical Datum (NAVD). datum point established at Pointe-au-Père on the St. Lawrence River, Quebec Province, Canada, based on the mass or density of the earth. The datum listed as the reference datum on Flood Insurance Rate Maps should be used for Elevation Certificate and floodproofing certificate completion.

Nudity or state of nudity. Means (a) the appearance of human bare buttocks, anus, male genitals, female genitals, or the areola or nipple of the female breast; or (b) a state of dress which fails to opaquely and fully cover a human buttocks, anus, male genitals, female genitals, pubic region, or areola or nipple of the female breast.

Open space development. Residential developments that concentrate homes and buildings in specific areas on the site in order to allow the remaining land to be undisturbed and used for recreation, open space, wildlife corridors, and preservation of environmentally sensitive features.

Open space ratio. The open space ratio is a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the total site area.

Parcel. A land area bounded by property lines that is recognized as such by the county assessor's office.

Park. A public facility open for recreation, with commercial activities for recreational uses only, open space and public gardens.

Precision instrument runway. A runway with an instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR).

Premises. A lot, plot, or parcel of land including the buildings or structures thereon, under control by the same owner or operator together with all adjacent land.

Recreational vehicle. A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and, (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory floodway. The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Repetitive Loss. a building covered by a contract for flood insurance that has incurred flood-related damages on 2 occasions during a 10 year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

Riparian buffer. An area of trees, shrubs, and other vegetation that borders an existing watercourse, wetland, or other water body (including open stormwater conveyances), for the purpose of reducing contamination from surface water runoff.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Section 1316 of the National Flood insurance Act of 1968. The act provides that no new flood insurance shall be provided for any property found by the Federal Emergency

Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

Sexually oriented business. For purposes of this chapter, sexually oriented business operations shall mean and include the following:

Adult arcade means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".

Adult bookstore or *adult video store* means a commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or
- (2) Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities". A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas".

Adult cabaret means a nightclub, bar, restaurant or similar commercial establishment which regularly features:

- (1) Persons who appear in a state of nudity; or
- (2) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- (3) Films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by the description of "specified sexual activities" or "specified anatomical areas".

Adult motel means a hotel, motel or similar commercial establishment which:

- (1) Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult-type of photographic reproductions; or
- (2) Offers a sleeping room for rent for a period of time that is less than ten hours; or
- (3) Allows a tenant or occupant of a sleeping room to sublet the room for a period of time that is less than ten hours.

Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult theater means a theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities".

Escort agency means a person or business association who furnishes, offers to furnish or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

Massage parlor means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentation, electric or magnetic treatments, or any other treatment manipulation of the human body which occurs as a part of or in connection with "specified sexual activities," or where any person providing such treatment, manipulation, or service related thereto, exposes his or her "specified anatomical areas." The definition of sexually oriented businesses shall not include the practice of massage in any licensed hospital, nor by a licensed hospital, nor by a licensed physician surgeon, massage therapist, chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon chiropractor or osteopath, nor by trainers for any amateur, semiprofessional, or professional athlete or athletic team or school athletic program.

Nude model studio means any place where a person who appears in a state of nudity or displays "specified anatomical areas" to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

Sexual encounter center means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

- (1) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- (2) Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminude.

Sign. Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

Sign, abandoned or obsolete. A sign which identifies, describes, directs attention to, or gives directions for locating any business or establishment no longer in operation, or advertises any product no longer marketed or any sign structure lacking sign faces for a period of 120 continuous days or more. Sign structures and boxes with faces that are blank or which advertise the availability of a property (for sale, for lease etc.) on vacant properties are not considered abandoned.

Sign, animated. Any sign that uses movement or change of lighting to depict action or creates a special effect or scene.

Sign, awning, canopy or marquee. A sign that is mounted or painted on or attached to an awning, canopy or marquee.

Sign, bench. A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Sign, building. Any sign attached to any part of a building.

Sign, changeable copy. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.

Sign, dangerous. A sign which is insecure or otherwise structurally unsound, has defective parts in the support, guys, and or anchors, or which is unable to meet the minimum safety requirements of the Building Code adopted by Florence County and any other applicable state codes or regulations.

Sign, dilapidated. A sign which has not been properly maintained, to include painting, lettering, replacement of broken faces or parts, repairing of electrical wiring and or lighting which is defective.

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.

Sign, face. The area or display surface used for the message.

Sign, free-standing. Any nonmovable sign not affixed to a building.

Sign, identification. A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

Sign, illegal. Permanent signs installed not in compliance with this ordinance or without a permit or which the permit has been revoked or expired shall be removed within 30 days of the attempted delivery of a certified letter from the Florence County Planning Department requiring removal.

Sign, incidental. 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.

Sign, off-premises. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, permanent. A sign attached to a building, structure or the ground in some manner and made of materials intended for more than short term use.

Sign, political. A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

Sign, portable. Sign or signs which are capable of being moved from one location to another for the purpose of advertisement or announcement for business or other purposes. The term "portable sign" includes, but is not limited to, signs mounted on trailers and signs mounted on frames placed on the surface of any lot which are not permanently attached to the ground.

Sign, projecting. A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

Sign, real estate Sign or signs indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

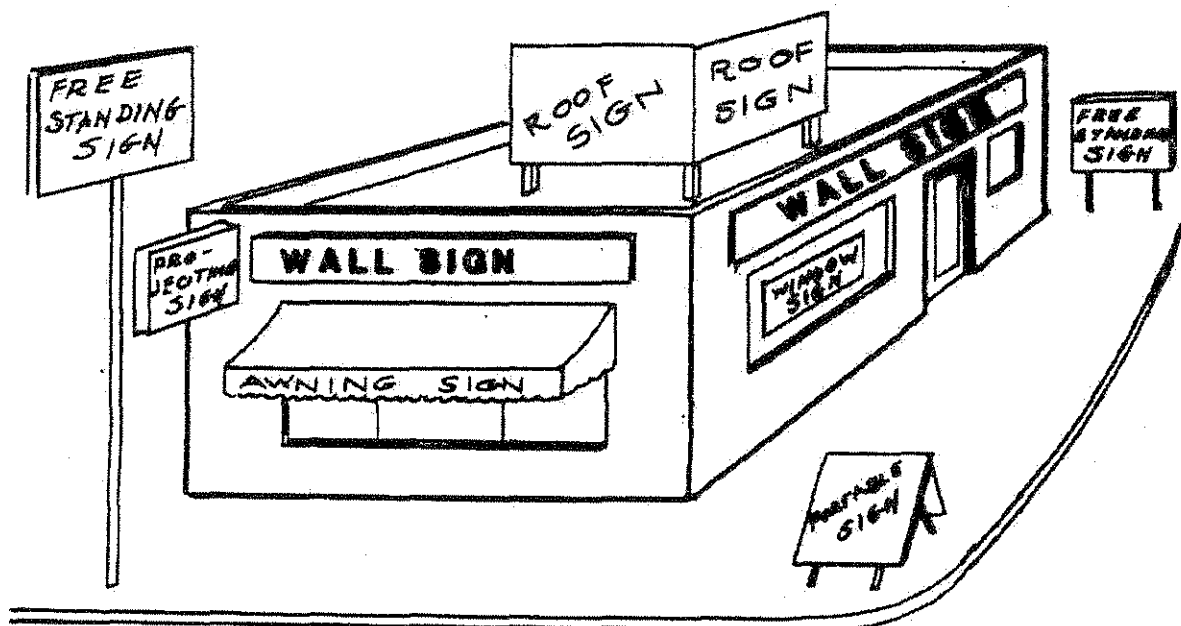
Sign, roof. A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of building with a flat roof, the ridge line of a building with a gambrel, gable, or hip roof or the deck line of a building with a mansard roof. Signs mounted on the sloping section of a roof or the gable end of a roof shall be classified as a wall sign.

Sign, roof integral. A sign whose structure is integrated into the structure of the roof, and is an integral part thereof.

Sign, temporary. A sign that is used only for a short period of time and is not permanently mounted.

Sign, wall. Any sign attached to and within six inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Sign, window. A sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.



SIGN TYPES

Sign Types

South Carolina Manufactured Housing Board. Is authorized by state statute to regulate the construction, repair, modification, installation, tie-down, hook-up, and sale of manufactured homes in South Carolina, which board has adopted for regulation of manufactured homes the Federal Manufactured Housing Construction and Safety Standards, promulgated by HUD, and contained in the board's Manufactured Housing Regulations, May 26, 1990.

Special flood hazard area. See "area of special flood hazard."

Specified anatomical areas. The male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

Specified sexual activities. Means and includes any of the following:

- (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- (3) Masturbation, actual or simulated; or
- (4) Excretory functions as part of or in connection with any of the activities set forth in (1) through (3) above.

Start of construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

Street. Any thoroughfare (drive, avenue, boulevard) or space more than 18 feet in right-of-way width which has been dedicated, deeded or designated for vehicular traffic, public or private.

Street, major. Includes all state primary and federal aid highways and streets that serve to circulate traffic, having signals at important intersections, and stop signs on side streets and/or having controlled access and channelized intersections.

Street, minor. A street designed principally to collect traffic from subdivisions and provide access to abutting property.

Street, private. A street not dedicated for public use or maintenance.

Structure. (As defined by the Standard Building Code.)

Structural alteration. Any change in the supporting members of a building, such as the bearing walls, beams, or girders, or any change in the dimension or configuration of the roof or exterior walls.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement".

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds ~~50~~ 30 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: (1) any project of improvement to a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions (does not include Americans with Disabilities Act compliance standards); or (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. (3) Permits shall be cumulative for a period of five years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

Substantially improved existing manufactured home park or subdivision. where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 30 percent of the value of the streets, utilities and pads before the repair, reconstruction, or improvement commenced.

Travel trailer or recreational vehicle. A structure that (1) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (2) is designed for temporary use as sleeping quarters, but that does not satisfy one or more of the definitional criteria of a mobile or manufactured home or modular unit.

Understory tree. A small deciduous tree that forms the layer of vegetation under the canopy trees in a forest. Examples of such trees include dogwoods, sourwoods, fruit trees and others.

Use, accessory. See "building, accessory."

Use. The purpose or activity, for which land or any building thereon is designed, arranged or intended, or for which it is occupied or maintained.

Use, principal. The primary purpose for which land is used.

Utility runway. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

Variance. A modification of the area regulations of this chapter, granted by the board of zoning appeals, where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located.

Vegetation. Any object of natural growth.

Violation. The failure of a structure or other development to be fully compliant with these regulations.

Visual runway. A runway intended solely for the operation of aircraft using visual approach procedures.

Wetlands. Areas of .25 acre or more where standing water is retained for a portion of the year and unique vegetation has adapted to the area. Jurisdictional wetlands are those over which the U.S. Corps of Engineers has permitting jurisdiction.

Yard. An open space that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided by this chapter.

Yard, front. A yard extending the full width of the front of a lot between the front (street) right-of-way line or property line and the front building line.

Yard, rear. A yard extending the full width of the lot in the area between the rear lot line and the rear building line.

Yard, required. That part of a yard between a lot line and the minimum required building setback line, within which no structure shall be located except as provided by this chapter.

Yard, side. A yard extending the full length of the lot in the area between the side lot line and a side building line.

Zoning district. A specifically delineated area or district within which regulations and requirements govern the use, placement, spacing and size of land and buildings.

Florence County Planning Commission Action: August 26, 2012:

The six Planning Commission members present voted unanimously to recommend approval of the request to Florence County Council in order to keep County Ordinances current and accurate.

FLORENCE COUNTY COUNCIL MEETING

Thursday, October 16, 2014

AGENDA ITEM: Ordinance No. 08-2014/15
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designations For Properties In Florence County Located In Florence Bounded By I-95, W. Lucas St., N. Cashua Dr., And W. Sumter St., More Specifically Shown On Tax Map Number 00121, Block 01, Parcel 040, Tax Map Numbers 00122, Block 01, Parcels 031-034, 037, 039, 068, 077, 079-080, 086, 089-090, 092, 103-105, 110, 113, 117, 119-120, 126, 138, 141-142, 144-166, 168-170, 172, 180, 213-217, 224-227, 241, 246, 250, 252-255, 260-263, Tax Map Numbers 01211, Block 01, Parcels 029, 031-033, 042-044, 046-052, 054-056, 084-085, 088-089, 092, 100 And 119 To Commercial Growth And Preservation And Tax Map Numbers 00122-01-059, 114, 245, 258 To Industrial Growth And Preservation; And Other Matters Related Thereto.] *(Planning Commission approved 7-0; Council District 3)*

POINTS TO CONSIDER:

1. The subject properties' current designations, as established by the Land Use Map of the Florence County Comprehensive Plan, are Residential Preservation, Rural Preservation, Commercial Growth and Preservation, Industrial Growth and Preservation and Suburban Development.
2. The applicant is proposing to reorder the current blend of land use designations to Commercial Growth and Preservation and Industrial Growth and Preservation to accommodate the proposed zoning.

OPTIONS:

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

ATTACHMENTS:

1. Ordinance No. 08-2014/15
2. Resolution for PC#2014-06
3. Staff report for PC#2014-06
4. Property Owners' Information Spreadsheet
5. Comprehensive Land Use Plan Map
6. Aerial Map

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: September 23, 2014	Council Clerk, certify that
Planning Commission Public Hearing	: September 23, 2014	this Ordinance was
Planning Commission Action	: September 23, 2014 [Approved 7-0]	advertised for Public Hearing
First Reading/Introduction	: October 16, 2014	on _____.
Committee Referral	: N/A	
County Council Public Hearing	:	
Second Reading	:	
Third Reading	:	
Effective Date	: Immediately	

ORDINANCE NO. 08-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designations For Properties In Florence County Located In Florence Bounded By I-95, W. Lucas St., N. Cashua Dr., And W. Sumter St., More Specifically Shown On Tax Map Number 00121, Block 01, Parcel 040, Tax Map Numbers 00122, Block 01, Parcels 031-034, 037, 039, 068, 077, 079-080, 086, 089-090, 092, 103-105, 110, 113, 117, 119-120, 126, 138, 141-142, 144-166, 168-170, 172, 180, 213-217, 224-227, 241, 246, 250, 252-255, 260-263, Tax Map Numbers 01211, Block 01, Parcels 029, 031-033, 042-044, 046-052, 054-056, 084-085, 088-089, 092, 100 And 119 To Commercial Growth And Preservation And Tax Map Numbers 00122-01-059, 114, 245, 258 To Industrial Growth And Preservation; And Other Matters Related Thereto.]

WHEREAS:

1. The Florence County Council must be satisfied that this Zoning Atlas amendment will not be 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. The amendment procedure established in the Florence County Comprehensive Plan has been followed by the Florence County Planning Commission at a public hearing on September 23, 2014.

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

1. The Florence County Comprehensive Plan Land Use Map is hereby amended to change the designations for properties in Florence County bounded by I-95, W. Lucas St., N. Cashua Dr., and W. Sumter St., Florence, more specifically shown on Tax Map Number 00121, Block 01, Parcel 040, Tax Map Numbers 00122, Block 01, Parcels 031-034, 037, 039, 068, 077, 079-080, 086, 089-090, 092, 103-105, 110, 113, 117, 119-120, 126, 138, 141-142, 144-166, 168-170, 172, 180, 213-217, 224-227, 241, 246, 250, 252-255, 260-263, Tax Map Numbers 01211, Block 01, Parcels 029, 031-033, 042-044, 046-052, 054-056, 084-085, 088-089, 092, 100 and 119 to Commercial Growth and Preservation and Tax Map Numbers 00122-01-059, 114, 245, 258 to

Industrial Growth and Preservation. The parcels consist of approximately 454.84 acres.

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

James T. Schofield, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

DRAFT

RESOLUTION FOR PC#2014-06
FLORENCE COUNTY PLANNING COMMISSION
SEPTEMBER 23, 2014

[A Resolution Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designations For Properties In Florence County Located In Florence Bounded By I-95, W. Lucas St., N. Cashua Dr., And W. Sumter St., More Specifically Shown On Tax Map Number 00121, Block 01, Parcel 040, Tax Map Numbers 00122, Block 01, Parcels 031-034, 037, 039, 068, 077, 079-080, 086, 089-090, 092, 103-105, 110, 113, 117, 119-120, 126, 138, 141-142, 144-166, 168-170, 172, 180, 213-217, 224-227, 241, 246, 250, 252-255, 260-263, Tax Map Numbers 01211, Block 01, Parcels 029, 031-033, 042-044, 046-052, 054-056, 084-085, 088-089, 092, 100 and 119 To Commercial Growth And Preservation And Tax Map Numbers 00122-01-059, 114, 245, 258 To Industrial Growth And Preservation As Referenced On The Agenda Map.]


WHEREAS:

1. The subject properties' designations as established by the Land Use Map of the Florence County Comprehensive Plan are Residential Preservation, Rural Preservation, Commercial Growth and Preservation, Industrial Growth and Preservation and Suburban Development.
2. The applicant is proposing to reorder the current blend of land use designations to Commercial Growth and Preservation and Industrial Growth and Preservation to accommodate the proposed zoning for this area and to recognize substantial change and changing conditions or circumstances in a particular locality.
3. Therefore, a change to the Comprehensive Plan Map Land Use Designations for these properties is hereby recommended.

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

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Florence County Comprehensive Plan Map Land Use Designations for properties in Florence County located in Florence bounded by I-95, W. Lucas St., N. Cashua Dr., and W. Sumter St., measuring approximately 454.84 acres to Commercial Growth and Preservation and Industrial Growth and Preservation as referenced on the agenda map.

ATTEST:



Angela C. Thomas, Secretary III

SIGNED:



David Hobbs, Chairman

COMMISSION VOTE: 7-0

OPPOSED: None

ABSENT: C. Cunha

C. Floyd

R. Kirby

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
SEPTEMBER 23, 2014
PC#2014-06**

Subject: Comprehensive Plan Map Amendment to change the Land Use Map designations for properties in Florence County located in Florence, SC to Commercial Growth and Preservation and Industrial Growth and Preservation.

Location: See Property Owners' Information Spreadsheet

Tax Map Numbers See Property Owners' Information Spreadsheet

Council District(s): 3; County Council

Applicant: Governing Council

Land Area: See Property Owners' Information Spreadsheet

Staff Analysis:

The property is currently designated as Residential Preservation, Rural Preservation, Commercial Growth and Preservation, Industrial Growth and Preservation, Suburban Development according to the Comprehensive Plan Land Use map.

The applicant is proposing to reorder the current blend of land use designations to Commercial Growth and Preservation and Industrial Growth and Preservation.

Staff's Justification/Reason for the proposed amendment is to recognize substantial change and changing conditions or circumstances in a particular locality.

Comprehensive Land Use Plan Map Designations:

The proposal is to change the designation to Commercial Growth and Preservation and Industrial Growth and Preservation.

Commercial Growth and Preservation protects and sustains existing commercial areas, including property values and amenities, and provides areas along important corridors or at key community points that are expected to have increasing economic significance.

Industrial Growth and Preservation protects and sustains existing industrial areas, including property values and amenities, and provides areas along important corridors or in emerging industrial locations that are targeted for major economic development.

Florence County Planning Commission Action: September 23, 2014:

The seven Planning Commission members present voted unanimously to adopt a resolution recommending that County Council amend the Comprehensive Plan Land Use Map.

Florence County Planning Commission Recommendation:

Florence County Planning Commission recommends approval of the request to the Florence County Council for Commercial Growth and Preservation to 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.

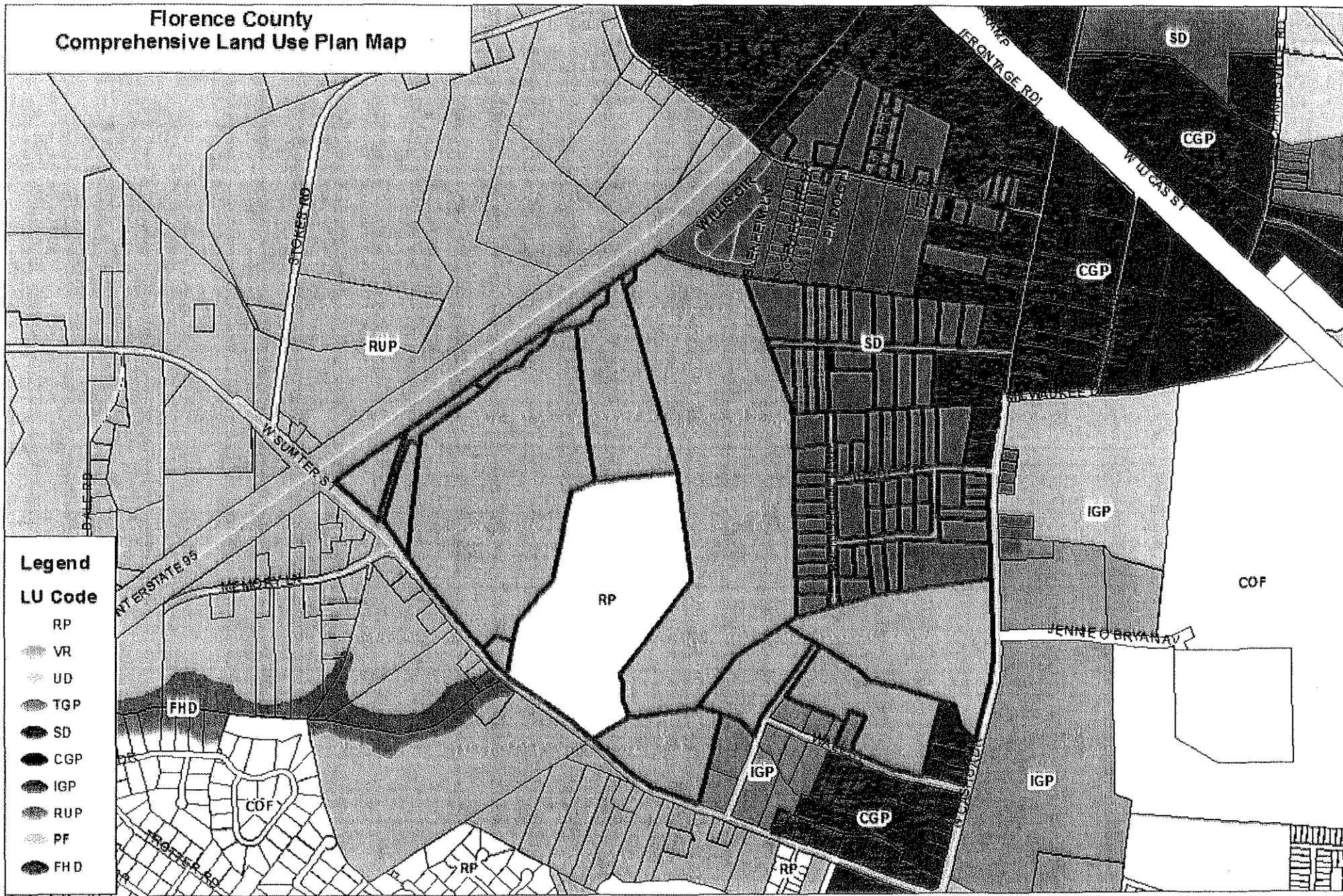
Florence County Planning Commission also recommends approval of Industrial Growth and Preservation to protect and sustain existing industrial areas, including property values and amenities, and provide areas along important corridors or in emerging industrial locations that are targeted for major economic development.

TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	ACREAGE	CURRENT LU	PROPOSED LU
00121-01-040	MAIB DEVELOPMENT PROPERTIES	LLC		0.30	RUP	CGP
00122-01-031	ELLIS ELIZABETH S &	NASH DELORES E TRUSTEES	2631 W SUMTER ST	4.52	RUP	CGP
00122-01-032	HUGGINS JANE POWERS			67.31	RUP	CGP
00122-01-033	PRAETORIAN OF FLORENCE LLC		2419 W SUMTER ST	53.04	RP	CGP
00122-01-034	HUGGINS JANE POWERS			13.52	RUP	CGP
00122-01-037	HARRINGTON GEORGE I ETAL		1061 N CASHUA DR;1051 N CASHUA DR	31.54	RUP	CGP
00122-01-039	HUGGINS JANE POWERS			94.11	RUP	CGP
00122-01-059	CHIPLEY ROY M III		2005 W SUMTER ST	0.44	CGP	IGP
00122-01-068	HONORAGE NURSING HOME OF	FLORENCE SC INC	1207 N CASHUA DR;1209 N CASHUA DR	6.95	SD	CGP
00122-01-077	SUNBELT RENTALS INC	ATTN: PROPERTY TAX	1215 N CASHUA DR	2.01	SD	CGP
00122-01-079	SUNBELT RENTALS INC	ATTN: PROPERTY TAX		1.01	SD	CGP
00122-01-080	TUNSTALL JIM W SR		1227 N CASHUA DR	0.52	SD	CGP
00122-01-086	ANDERSON BROTHERS BANK		1301 N CASHUA DR	0.59	SD	CGP
00122-01-089	JIM WOOD INVESTMENTS LLC		1802 TRADE ST	1.55	SD	CGP
00122-01-090	5 STAR TUNING LLC		1820 TRADE ST	0.81	SD	CGP
00122-01-092	ALL AMERICAN FINANCE	COMPANY	1831 TRADE ST	0.97	SD	CGP
00122-01-103	INDUSTRIAL DEVELOPMENT	ASSOCIATES		0.83	SD	CGP
00122-01-104	INDUSTRIAL DEVELOPMENT	ASSOCIATES	1814 TRADE ST	0.85	SD	CGP
00122-01-105	CALDER WILLIE		1826 TRADE ST	0.79	SD	CGP
00122-01-110	KEG PROPERTIES LLC		1307 D BROUGHTON BLVD;1307 C BROUGHTON BLVD;1307 A BROUGHTON BLVD;1307 BROUGHTON BLVD	0.93	SD	CGP
00122-01-113	KAMPIZIONES THEODORE			3.09	SD	CGP
00122-01-114	KAMPIZIONES THEODORE G			27.26	RUP	IGP
00122-01-117	BASS JAMES D		1811 TRADE ST	1.53	SD	CGP
00122-01-119	ANDERSON BROTHERS BANK			0.52	SD	CGP
00122-01-120	JORDAN WALLACE H			3.60	SD	CGP
00122-01-126	DE ROCHE LORRAINE M		1235 BROUGHTON BLVD	0.93	SD	CGP
00122-01-138	CUMULUS BROADCASTING INC		1397 BROUGHTON BLVD	22.39	RUP	CGP
00122-01-141	ATI GROUP LLP		1321 A N CASHUA DR;1321 B N CASHUA DR;1321 C N CASHUA DR	1.14	SD	CGP
00122-01-142	BASS JAMES D			3.46	SD	CGP
00122-01-144	HOWELL RONNIE		1815 TRADE ST	1.55	SD	CGP
00122-01-145	BASS JAMES D		1819 TRADE ST	1.57	SD	CGP
00122-01-146	CAROLINA ASBESTOS ABATEMENT	INC	1823 TRADE ST	1.55	SD	CGP
00122-01-147	BENTON REAL ESTATE LLC		1827 TRADE ST;1825 TRADE ST	1.54	SD	CGP
00122-01-148	MEDSTAR AMBULANCE SERV LLC		1322 BROUGHTON BLVD;1320 BROUGHTON BLVD	1.78	SD	CGP
00122-01-149	ADAMS LINDA D		1323 BROUGHTON BLVD	2.03	SD	CGP
00122-01-150	SCHIRIPPA RICHARD JAMES &	LINDA MCGEE	1313 BROUGHTON BLVD	1.57	SD	CGP
00122-01-151	KEG PROPERTIES LLC		1301 BROUGHTON BLVD	0.93	SD	CGP
00122-01-152	GILBERT VENTURES LLC		1229 BROUGHTON BLVD	0.93	SD	CGP
00122-01-153	GILBERT VENTURES LLC			0.93	SD	CGP
00122-01-154	GILBERT VENTURES LLC		1217 BROUGHTON BLVD	0.93	SD	CGP
00122-01-155	GILBERT VENTURES LLC		1213 BROUGHTON BLVD	0.93	SD	CGP
00122-01-156	GILBERT VENTURES LLC		1207 BROUGHTON BLVD	1.03	SD	CGP
00122-01-157	GILBERT VENTURES LLC			1.04	SD	CGP
00122-01-158	GILBERT VENTURES LLC			1.41	SD	CGP

TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	ACREAGE	CURRENT LU	PROPOSED LU
00122-01-159	GILBERT VENTURES LLC		1212 BROUGHTON BLVD;1214 BROUGHTON BLVD;1216 BROUGHTON BLVD;1218 BROUGHTON BLVD;1220 BROUGHTON BLVD;1222 BROUGHTON BLVD;1224 BROUGHTON BLVD;1226 BROUGHTON BLVD;1844 HABERSHAM SQ	0.92	SD	CGP
00122-01-160	GILBERT VENTURES LLC			0.94	SD	CGP
00122-01-161	GILBERT VENTURES LLC			1.44	SD	CGP
00122-01-162	GILBERT VENTURES LLC			1.39	SD	CGP
00122-01-163	BASS DENISE T		1829 HABERSHAM SQ	0.81	SD	CGP
00122-01-164	KAMPIZIONES THEODORE			0.78	SD	CGP
00122-01-165	KAMPIZIONES THEODORE			0.78	SD	CGP
00122-01-166	KAMPIZIONES THEODORE			0.79	SD	CGP
00122-01-168	DIXIE BEARINGS INC			1.14	IGP	CGP
00122-01-169	SOF LLC		2625 W SUMTER ST	2.85	RUP	CGP
00122-01-170	HUGGINS JANE POWERS TRUSTEE		2505 W SUMTER ST	1.19	RUP	CGP
00122-01-172	SOF LLC			3.18	RUP	CGP
00122-01-180	FORE THOMAS A &/OR	WISE MARTHA F TRUSTEES		0.99	SD	CGP
00122-01-213	EDWARDS W S JR		1802 SALLY HILL FARMS BLVD	1.78	SD	CGP
00122-01-214	EDWARDS W S JR		1806 SALLY HILL FARMS BLVD	1.83	SD	CGP
00122-01-215	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1810 SALLY HILL FARMS BLVD	1.89	SD	CGP
00122-01-216	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1814 SALLY HILL FARMS BLVD	1.95	SD	CGP
00122-01-217	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1818 SALLY HILL FARMS BLVD	1.79	SD	CGP
00122-01-224	JORDAN WALLACE H		1823 SALLY HILL FARMS BLVD	1.52	SD	CGP
00122-01-225	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1819 SALLY HILL FARMS BLVD	2.18	SD	CGP
00122-01-226	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1815 SALLY HILL FARMS BLVD	2.02	SD	CGP
00122-01-227	WOOD PROPERTIES-BLUE LINE	LLC	1811 SALLY HILL FARMS BLVD	1.95	SD	CGP
00122-01-241	FLOYD PROPERTIES OF FLORENCE	LLC	1834 SALLY HILL FARMS BLVD	5.25	SD	CGP
00122-01-245	JERNIGAN BRUCE		1920 WALL ST	1.03	CGP	IGP
00122-01-246	SOF LLC		2623 W SUMTER ST	3.67	RUP	CGP
00122-01-250	T & E INVESTMAENTS OF SUMTER	LLC	1822 SALLY HILL FARMS BLVD	2.12	SD	CGP
00122-01-252	T&E INVESTMENTS OF SUMTER	LLC	1824 SALLY HILL FARMS BLVD	1.09	SD	CGP
00122-01-253	AVENT FRANK H		1826 SALLY HILL FARMS BLVD	1.10	SD	CGP
00122-01-254	FLOYD PROPERTIES OF FLORENCE	LLC	1828 SALLY HILL FARMS BLVD	1.12	SD	CGP
00122-01-255	FLOYD PROPERTIES OF FLORENCE	LLC	1830 SALLY HILL FARMS BLVD	1.14	SD	CGP
00122-01-258	JERNIGAN BRUCE			1.02	CGP	IGP
00122-01-260	ADAMS SANUEL H JR			1.50	SD	CGP
00122-01-261	ADAMS SAMUEL H JR			1.36	SD	CGP
00122-01-262	ADAMS SAMUEL H JR			1.34	SD	CGP
00122-01-263	ADAMS SANUEL H JR			1.32	SD	CGP
01211-01-029	JONES ELSIE W		1832 FAIRFIELD CIR	0.57	SD	CGP
01211-01-031	SINGLETARY VANESSA		1824 FAIRFIELD CIR	1.06	SD	CGP
01211-01-032	NORMAN VARA LOUISE GALLOWAY		1816 LOT 3 FAIRFIELD CIR;1816 LOT 4 FAIRFIELD CIR;1816 LOT 1 FAIRFIELD CIR;1816 2 FAIRFIELD CIR;1816 FAIRFIELD CIR;1814 FAIRFIELD CIR	1.46	SD	CGP
01211-01-033	TRUE FOUNDATION OF CHRIST	CHURCH WORLDWIDE	1810 FAIRFIELD CIR	0.34	SD	CGP
01211-01-042	LESTER LOUISE RAINEY		1813 FAIRFIELD CIR	0.49	SD	CGP
01211-01-043	BACOTE ROBERT B		1815 FAIRFIELD CIR	0.50	SD	CGP

TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	ACREAGE	CURRENT LU	PROPOSED LU
01211-01-044	FLORENCE CONCRETE PROD CO			0.71	SD	CGP
01211-01-046	FLORENCE CONCRETE PRODUCTS	CO INC		6.06	SD	CGP
01211-01-047	WELLS DORIS MCLEOD		1917 FAIRFIELD CIR	0.35	SD	CGP
01211-01-048	BAXLEY ETTA MAE (LE) &	ELIZABETH DAWN	1919 FAIRFIELD CIR	0.26	SD	CGP
01211-01-049	ALTMAN CONNIE JANE		1506 DAVIS RD	0.27	SD	CGP
01211-01-050	ALTMAN CONNIE JANE			0.76	SD	CGP
01211-01-051	BELL ALBERT L &	BELL BETTY J		0.38	SD	CGP
01211-01-052	BELL ALBERT L &	BELL BETTY J		0.32	SD	CGP
01211-01-054	MACK GEORGE A & MARTA		2001 FAIRFIELD CIR	0.25	SD	CGP
01211-01-055	JACKSON ROBERT ETAL		2007 FAIRFIELD CIR	4.43	SD	CGP
01211-01-056	MAHAVIR & MUNI INC			7.00	SD	CGP
01211-01-084	FLORENCE CONCRETE PRODUCTS	CO INC		0.52	SD	CGP
01211-01-085	PAUL LILA H		1507 DAVIS RD	0.27	SD	CGP
01211-01-088	RIGG LLC			2.76	SD	CGP
01211-01-089	WILLIAMS GARY		2113 FAIRFIELD CIR	0.85	SD	CGP
01211-01-092	SINKFIELD RICHARD H &	GEORGANNA T	2015 FAIRFIELD CIR	0.84	SD	CGP
01211-01-100	ALTMAN CONNIE JANE			0.89	SD	CGP
01211-01-119	SHILOH UNITED APOSTOLIC	CHURCH	2016 FAIRFIELD CIR	0.15	SD	CGP
				454.84		

**Florence County
Comprehensive Land Use Plan Map**



Legend

LU Code

- RP
- VR
- UD
- TGP
- SD
- CGP
- IGP
- RUP
- PF
- FHD

0 500 1,000 2,000 Feet

Map Prepared by: RWE
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 & Building Inspections Department
 Geographic Information Systems
 2014-09-29



**Council District(s): 3
 PC#2014-06**

2011 Aerial



0 550 1,100 2,200 Feet

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Geographic Information Systems
2014-09-29



Council District(s): 3
PC#2014-06

FLORENCE COUNTY COUNCIL MEETING
Thursday, October 16, 2014

AGENDA ITEM: Ordinance No. 09-2014/15
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council District Three Bounded By I-95, W. Lucas St., N. Cashua Dr., And W. Sumter St., More Specifically Shown On Tax Map Number 00121, Block 01, Parcel 040, Tax Map Number 00122, Block 01, Parcels 031-035, 037, 039, 064, 067-068, 070, 074-075, 077, 079-080, 082, 086-087, 089-090, 092-093, 100, 102-105, 108-110, 112-113, 117, 119-120, 122, 124-126, 138-142, 144-166, 168-173, 175-176, 180, 183-185, 208-217, 224-227, 241, 246, 249-250, 252-255, 259-263, 271, Tax Map Number 01211, Block 01, Parcels 029, 031-052, 054-056, 067-070, 072, 075, 084-085, 088-089, 091-092, 094, 096-100, 102-104, 119 to B-3, General Commercial District, Tax Map Number 01211, Block 01, Parcels 008-009, 011-024, 076-077, 117-118 to R-3A, Single Family Residential District, Tax Map Number 01211, Block 01, Parcels 007, 025-028, 078, 081, 095 to RU-1, Rural Community District and Tax Map Number 00122, Block 01, Parcels 036, 059-060, 091, 099, 114, 181, 238, 242, 245, 258, 273, 336 to B-5, Office And Light Industrial District; Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.] *(Planning Commission approved 7-0; Council District 3)*

POINTS TO CONSIDER:

1. The subject properties are currently unzoned.
2. The subject area properties are currently occupied by single-family residential uses, manufactured/mobile home uses, church uses, commercial uses, vacant land, farmland, and industrial uses.
3. Surrounding land uses are a mixture of residential, commercial, vacant, farmland and industrial uses zoned B-2, B-3, B-5, RU-2 and unzoned.
4. The zoning designations of B-3, B-5, RU-1, and R-3A for the subject properties are in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

OPTIONS:

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

ATTACHMENTS:

- | | | |
|--------------------------------|------------------------------------|--|
| 1. Ordinance No. 09-2014/15 | 3. Location Map | 6. Aerial Map |
| 2. Staff report for PC#2014-07 | 4. Comprehensive Plan Land Use Map | 7. Property Owners' Zoning Designation Spreadsheet |
| | 5. Zoning Map | |

Sponsor(s)	:	Planning Commission	I, _____
Planning Commission Consideration	:	September 23, 2014	Council Clerk, certify that
Planning Commission Public Hearing	:	September 23, 2014	this Ordinance was
Planning Commission Action	:	September 23, 2014	[Approved: 7-0] advertised for Public Hearing
First Reading/Introduction	:	October 16, 2014	on _____
Committee Referral	:	N/A	_____
County Council Public Hearing	:		
Second Reading	:		
Third Reading	:		
Effective Date	:	Immediately	

ORDINANCE NO. 09-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council District Three Bounded By I-95, W. Lucas St., N. Cashua Dr., And W. Sumter St., More Specifically Shown On Tax Map Number 00121, Block 01, Parcel 040, Tax Map Number 00122, Block 01, Parcels 031-035, 037, 039, 064, 067-068, 070, 074-075, 077, 079-080, 082, 086-087, 089-090, 092-093, 100, 102-105, 108-110, 112-113, 117, 119-120, 122, 124-126, 138-142, 144-166, 168-173, 175-176, 180, 183-185, 208-217, 224-227, 241, 246, 249-250, 252-255, 259-263, 271, Tax Map Number 01211, Block 01, Parcels 029, 031-052, 054-056, 067-070, 072, 075, 084-085, 088-089, 091-092, 094, 096-100, 102-104, 119 to B-3, General Commercial District, Tax Map Number 01211, Block 01, Parcels 008-009, 011-024, 076-077, 117-118 to R-3A, Single Family Residential District, Tax Map Number 01211, Block 01, Parcels 007, 025-028, 078, 081, 095 to RU-1, Rural Community District and Tax Map Number 00122, Block 01, Parcels 036, 059-060, 091, 099, 114, 181, 238, 242, 245, 258, 273, 336 to B-5, Office And Light Industrial District; Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.]

WHEREAS:

1. The Florence County Council must be satisfied that this Zoning Atlas amendment will not be 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 in general; and
2. The amendment procedure established in the Florence County Code, Chapter 30-Zoning Ordinance has been followed by the Florence County Planning Commission at a public hearing on September 23, 2014.

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

1. Properties Bounded By I-95, W. Lucas St., N. Cashua Dr., And W. Sumter St., More Specifically Shown On Tax Map Number 00121, Block 01, Parcel 040, Tax Map Number 00122, Block 01, Parcels 031-035, 037, 039, 064, 067-068, 070, 074-075, 077, 079-080, 082,

086-087, 089-090, 092-093, 100, 102-105, 108-110, 112-113, 117, 119-120, 122, 124-126, 138-142, 144-166, 168-173, 175-176, 180, 183-185, 208-217, 224-227, 241, 246, 249-250, 252-255, 259-263, 271, Tax Map Number 01211, Block 01, Parcels 029, 031-052, 054-056, 067-070, 072, 075, 084-085, 088-089, 091-092, 094, 096-100, 102-104, 119 are hereby zoned to B-3, General Commercial District, Tax Map Number 01211, Block 01, Parcels 008-009, 011-024, 076-077, 117-118 are hereby zoned to R-3A, Single Family Residential District, Tax Map Number 01211, Block 01, Parcels 007, 025-028, 078, 081, 095 are hereby zoned to RU-1, Rural Community District and Tax Map Number 00122, Block 01, Parcels 036, 059-060, 091, 099, 114, 181, 238, 242, 245, 258, 273, 336 are hereby zoned to B-5, Office And Light Industrial 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

James T. Schofield, Chairman

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
Tuesday, September 23, 2014
PC#2014-07
ORDINANCE NO. 09-2014/15**

SUBJECT: Zoning amendment request to B-3, General Commercial Business District; B-5, Office and Light Industrial District; RU-1, Rural Community District and R-3A, Single Family Residential District.

LOCATION: Properties located on Briarcliff Drive, Broughton Blvd., North Cashua Drive, David Road, Fairfield Circle, Habersham Square, West Lucas Street, Pindo Court, Sally Hills Farm Blvd., West Sumter Street, Trade Street, Wall Street, Willis Circle.

TAX MAP NUMBERS: See Property Owners' Information Spreadsheet

COUNCIL DISTRICT(S): 3; County Council

OWNER OF RECORD: See Property Owners' Information Spreadsheet

APPLICANT: Governing Council

LAND AREA: 198 Parcels

WATER /SEWER AVAILABILITY: City of Florence

**ADJACENT WATERWAYS/
BODIES OF WATER:** None

FLOOD ZONE: N/A

STAFF ANALYSIS:

1. Existing Land Use and Zoning:
The subject area properties are currently occupied by single-family residential uses, manufactured/mobile home uses, church uses, commercial uses, vacant land, farmland, and industrial uses. The subject area properties are currently unzoned.
2. Proposed Land Use and Zoning:

The proposal is to zone the subject area properties for compatibility with surrounding zoning districts, existing and future allowable district uses. There are no proposals at the time of the request for any new development or redevelopment of the subject properties.

The proposed request is to zone the subject area properties to B-3, General Commercial Business District, B-5, Office and Light Industrial Business District, RU-1, Rural Community District and R-3A, Single Family Residential District.

3. Surrounding Land Use and Zoning:

North: Vacant/B-3/ City of Florence

South: Residential/ Commercial/Industrial/Vacant/RU-1/Unzoned/City of Florence/Florence County

West: Vacant/Residential/Commercial/Unzoned/Florence County

East: Vacant/Institutional/Commercial/B-2/B-3/B-5/RU-2/Unzoned/City of Florence/
Florence County

4. Transportation Access and Circulation:

Present access to the area properties are by the way of Briarcliff Drive, Broughton Blvd., North Cashua Drive, David Road, Fairfield Circle, Habersham Square, West Lucas Street, Pindo Court, Sally Hills Farm Blvd., West Sumter Street, Trade Street, Wall Street, Willis Circle.

5. Traffic Review:

The rezoning of these properties could have a minimal effect on traffic flow for the area.

6. Florence County Comprehensive Plan:

The properties are currently designated as Residential Preservation, Rural Preservation, Commercial Growth and Preservation, Industrial Growth and Preservation and Suburban Development according to the Comprehensive Plan Land Use Map.

The applicant is proposing to reorder the current blend of land use designations to Commercial Growth and Preservation and Industrial Growth and Preservation to accommodate the proposing zoning for this area which comply with the Comprehensive Plan.

7. Chapter 30-Zoning Ordinance:

The intent of the proposed zoning districts are as follows:

- 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.
- B-5, Office and Light Industrial District: The intent of this district is to promote the development of business parks, including office, distribution, and light manufacturing

uses in an environment suited to such uses and operations while promoting land use compatibility through the application of performance standards.

- RU-1, Rural Community District: The intent of this district is to sustain and support rural community centers as an integral part of the rural environment, serving the commercial, service, social, and agricultural needs of nearby rural residents.
- R-3A, Single-Family Residential District: 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.

STAFF RECOMMENDATION:

Staff recommends approval of the zoning amendment request to Planning commission based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

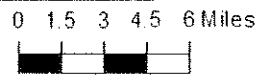
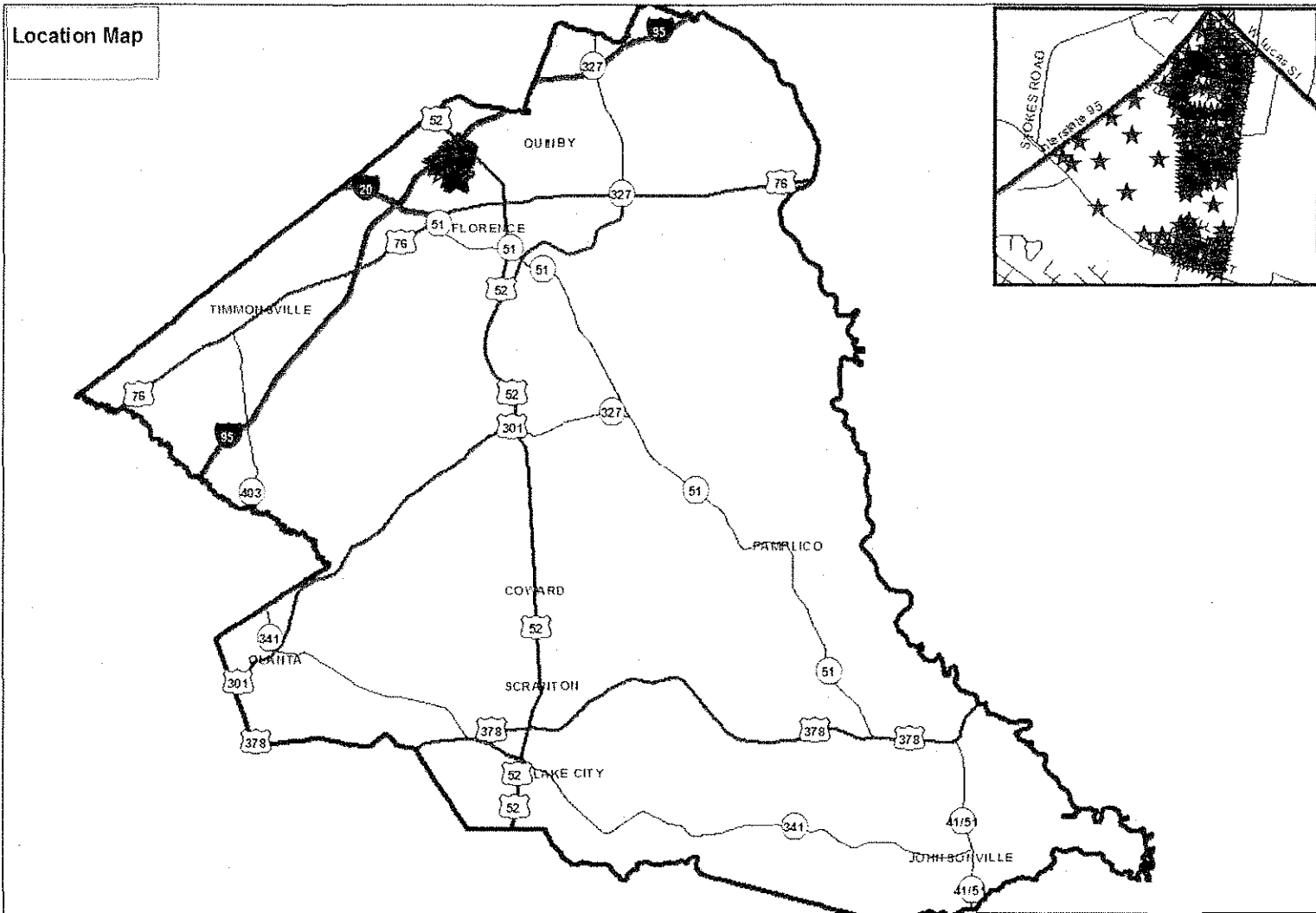
FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, SEPTEMBER 23, 2014:

The seven Planning Commission members present approved the zoning amendment request unanimously based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

FLORENCE COUNTY COUNCIL MEETING:

The Planning Commission members recommend approval of the zoning amendment request to Florence County Council based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan.

Location Map

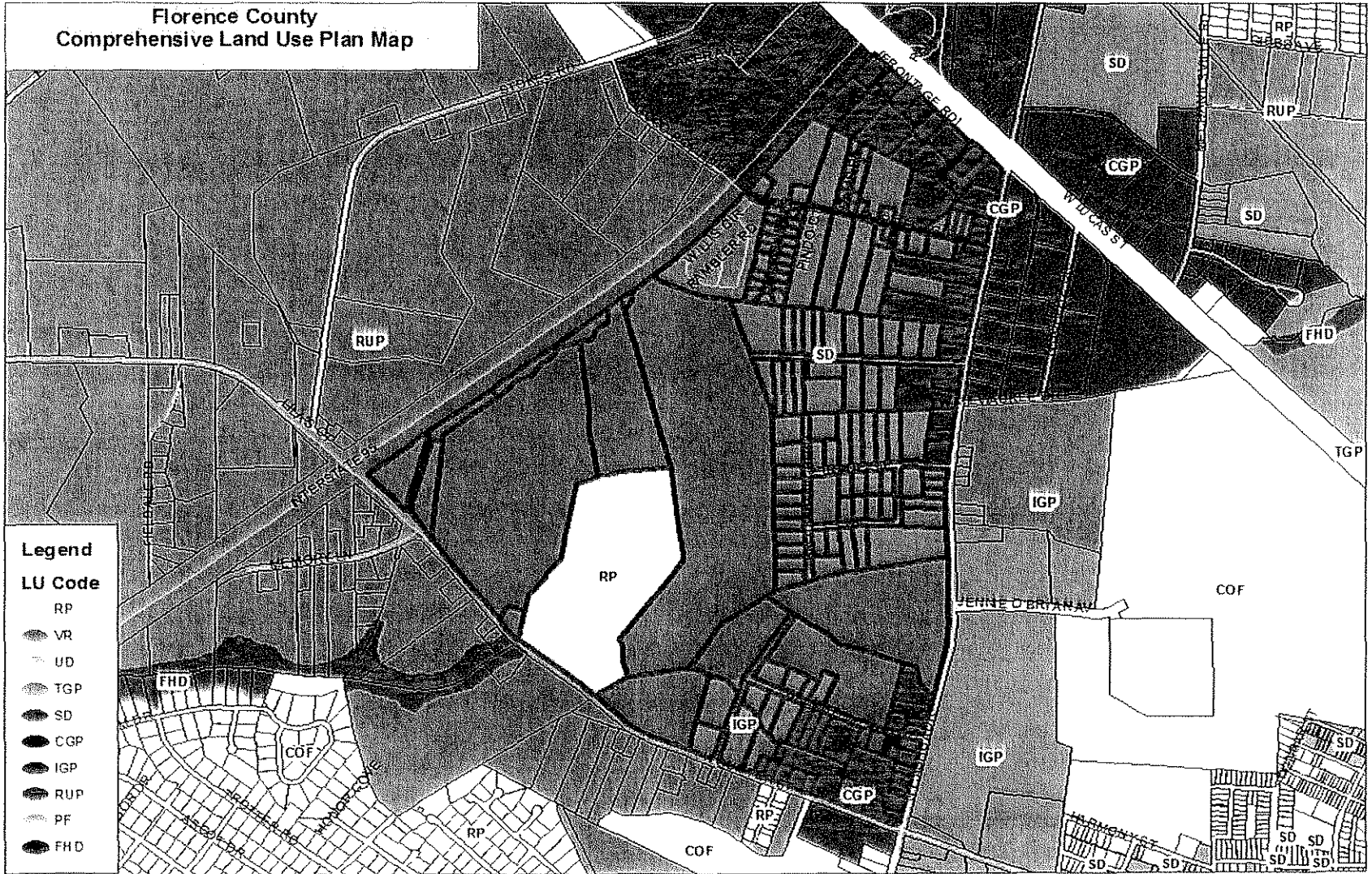


Map Prepared by: RWE
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& Building Inspections Department
Geographic Information Systems
2014-08-25



Council District(s): 3
PC#2014-07

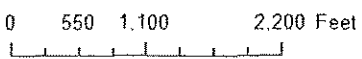
Florence County
Comprehensive Land Use Plan Map



Legend

LU Code

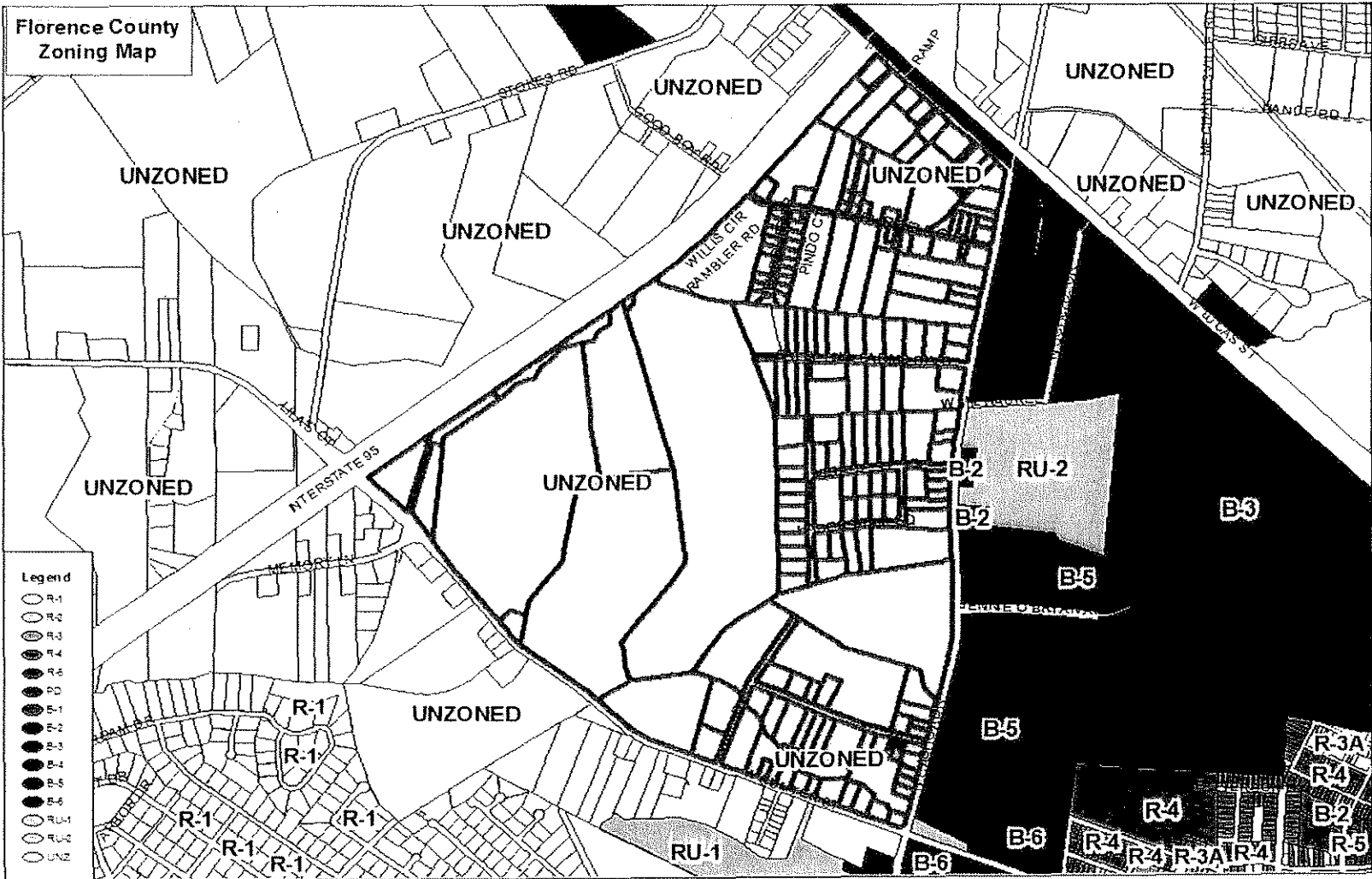
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- SD
- CGP
- IGP
- RUP
- PF
- FHD



Map Prepared by: RWE
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 Geographic Information Systems
 2014-08-25



Council District(s): 3
 PC#2014-07



0 650 1,300 2,600 Feet

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 Geographic Information Systems
 2014-08-25

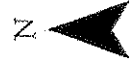


Council District(s): 3
 PC#2014-07



2011 Aerial

0 650 1,300 2,600 Feet



Council District(s): 3
PC#2014-07

Map Prepared by: RWE
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& Building Inspections Department
Geographic Information Systems
2014-08-25

	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
1	00121-01-040	MAIB DEVELOPMENT PROPERTIES	LLC		0.296201	B-3
2	00122-01-031	ELLIS ELIZABETH S &	NASH DELORES E TRUSTEES	2631 W SUMTER ST	4.524828	B-3
3	00122-01-032	HUGGINS JANE POWERS			67.305298	B-3
4	00122-01-033	PRAETORIAN OF FLORENCE LLC		2419 W SUMTER ST	53.036513	B-3
5	00122-01-034	HUGGINS JANE POWERS			13.518885	B-3
6	00122-01-035	JOHNSON SHARON L			1.432041	B-3
7	00122-01-036	CT VENTURE LLC			3.362596	B-5
8	00122-01-037	HARRINGTON GEORGE I ETAL		1061 N CASHUA DR;1051 N CASHUA DR	31.541179	B-3
9	00122-01-039	HUGGINS JANE POWERS			94.105707	B-3
10	00122-01-059	CHIPLEY ROY M III		2005 W SUMTER ST	0.441455	B-5
11	00122-01-060	CHIPLEY ROY M III		2007 W SUMTER ST	1.988055	B-5
12	00122-01-064	ROBERTS RENTALS LIMITED	PARTNERSHIP	2003 W SUMTER ST;2003 1/2 W SUMTER ST	0.444101	B-3
13	00122-01-067	ROBERTS RENTALS LIMITED	PARTNERSHIP		0.689126	B-3
14	00122-01-068	HONORAGE NURSING HOME OF	FLORENCE SC INC	1207 N CASHUA DR;1209 N CASHUA DR	6.945967	B-3
15	00122-01-070	KNOTTS PATRICIA ETAL			0.459304	B-3
16	00122-01-074	HILL THOMAS E & MARY LEE		1921 W SUMTER ST	0.739758	B-3
17	00122-01-075	MORNINGSTAR LIMITED	PARTNERSHIP		0.807264	B-3
18	00122-01-077	SUNBELT RENTALS INC	ATTN: PROPERTY TAX	1215 N CASHUA DR	2.009572	B-3
19	00122-01-079	SUNBELT RENTALS INC	ATTN: PROPERTY TAX		1.0086	B-3
20	00122-01-080	TUNSTALL JIM W SR		1227 N CASHUA DR	0.515854	B-3
21	00122-01-082	GREGORY LAND DEVELOPMENT II	INC C/O ROBERT E LIVINGSTON		0.976167	B-3
22	00122-01-086	ANDERSON BROTHERS BANK		1301 N CASHUA DR	0.590382	B-3
23	00122-01-087	779 NORTH CASHUA DRIVE LLC			0.46223	B-3
24	00122-01-089	JIM WOOD INVESTMENTS LLC		1802 TRADE ST	1.551157	B-3
25	00122-01-090	5 STAR TUNING LLC		1820 TRADE ST	0.810783	B-3

	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
26	00122-01-091	EVANS READY MIX INC	PO BOX 5475	2175 W SUMTER ST	1.991304	B-5
27	00122-01-092	ALL AMERICAN FINANCE	COMPANY	1831 TRADE ST	0.965569	B-3
28	00122-01-093	REAMES ENTERPRISES INC		1309 N CASHUA DR	1.232866	B-3
29	00122-01-099	EVANS READY MIX INC	PO BOX 5475		3.423276	B-5
30	00122-01-100	MAHADEV OF THE CAROLINAS LLC			0.538535	B-3
31	00122-01-102	FLOYD DON B ETAL			2.112181	B-3
32	00122-01-103	INDUSTRIAL DEVELOPMENT	ASSOCIATES		0.83078	B-3
33	00122-01-104	INDUSTRIAL DEVELOPMENT	ASSOCIATES	1814 TRADE ST	0.848899	B-3
34	00122-01-105	CALDER WILLIE		1826 TRADE ST	0.786389	B-3
35	00122-01-108	MORNINGSTAR LIMITED	PARTNERSHIP		5.002312	B-3
36	00122-01-109	DOULAVERIS STEVEN			0.483606	B-3
37	00122-01-110	KEG PROPERTIES LLC		1307 D BROUGHTON BLVD;1307 C BROUGHTON BLVD;1307 A BROUGHTON BLVD;1307 BROUGHTON BLVD	0.929722	B-3
38	00122-01-112	JORDAN ARTHUR BUIST "ART" IV	ETAL C/O HERALD SUPPLY		0.461539	B-3
39	00122-01-113	KAMPIZIONES THEODORE			3.088861	B-3
40	00122-01-114	KAMPIZIONES THEODORE G			27.25505	B-5
41	00122-01-117	BASS JAMES D		1811 TRADE ST	1.527732	B-3
42	00122-01-119	ANDERSON BROTHERS BANK			0.524825	B-3
43	00122-01-120	JORDAN WALLACE H			3.59779	B-3
44	00122-01-122	KEG PROPERTIES LLC		805 N CASHUA DR	0.344208	B-3
45	00122-01-124	GILBERT VENTURES LLC		1811 WALL ST	0.742571	B-3
46	00122-01-125	FRANKLIN COMPANY INC			0.443777	B-3
47	00122-01-126	DE ROCHE LORRAINE M		1235 BROUGHTON BLVD	0.929787	B-3
48	00122-01-138	CUMULUS BROADCASTING INC		1397 BROUGHTON BLVD	22.387195	B-3
49	00122-01-139	BACK FORTY HOLDINGS LLC			0.529163	B-3
50	00122-01-140	ATI GROUP LLP			0.597997	B-3
51	00122-01-141	ATI GROUP LLP		1321 A N CASHUA DR;1321 B N CASHUA DR;1321 C N CASHUA DR	1.142265	B-3
52	00122-01-142	BASS JAMES D			3.458784	B-3

	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
53	00122-01-144	HOWELL RONNIE		1815 TRADE ST	1.548343	B-3
54	00122-01-145	BASS JAMES D		1819 TRADE ST	1.56923	B-3
55	00122-01-146	CAROLINA ASBESTOS ABATEMENT	INC	1823 TRADE ST	1.552898	B-3
56	00122-01-147	BENTON REAL ESTATE LLC		1827 TRADE ST;1825 TRADE ST	1.535986	B-3
57	00122-01-148	MEDSTAR AMBULANCE SERV LLC		1322 BROUGHTON BLVD;1320 BROUGHTON BLVD	1.779139	B-3
58	00122-01-149	ADAMS LINDA D		1323 BROUGHTON BLVD	2.026406	B-3
59	00122-01-150	SCHIRIPPA RICHARD JAMES &	LINDA MCGEE	1313 BROUGHTON BLVD	1.565741	B-3
60	00122-01-151	KEG PROPERTIES LLC		1301 BROUGHTON BLVD	0.929735	B-3
61	00122-01-152	GILBERT VENTURES LLC		1229 BROUGHTON BLVD	0.930333	B-3
62	00122-01-153	GILBERT VENTURES LLC			0.929768	B-3
63	00122-01-154	GILBERT VENTURES LLC		1217 BROUGHTON BLVD	0.929742	B-3
64	00122-01-155	GILBERT VENTURES LLC		1213 BROUGHTON BLVD	0.929742	B-3
65	00122-01-156	GILBERT VENTURES LLC		1207 BROUGHTON BLVD	1.033504	B-3
66	00122-01-157	GILBERT VENTURES LLC			1.044014	B-3
67	00122-01-158	GILBERT VENTURES LLC			1.410045	B-3
68	00122-01-159	GILBERT VENTURES LLC		1212 BROUGHTON BLVD;1214 BROUGHTON BLVD;1216 BROUGHTON BLVD;1218 BROUGHTON BLVD;1220 BROUGHTON BLVD;1222 BROUGHTON BLVD;1224 BROUGHTON BLVD;1226 BROUGHTON BLVD;1844 HABERSHAM SQ	0.918878	B-3
69	00122-01-160	GILBERT VENTURES LLC			0.943859	B-3
70	00122-01-161	GILBERT VENTURES LLC			1.438086	B-3
71	00122-01-162	GILBERT VENTURES LLC			1.389776	B-3
72	00122-01-163	BASS DENISE T		1829 HABERSHAM SQ	0.812739	B-3
73	00122-01-164	KAMPIZIONES THEODORE			0.783347	B-3
74	00122-01-165	KAMPIZIONES THEODORE			0.781193	B-3
75	00122-01-166	KAMPIZIONES THEODORE			0.785646	B-3
76	00122-01-168	DIXIE BEARINGS INC			1.139007	B-3

	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
77	00122-01-169	SOF LLC		2625 W SUMTER ST	2.845996	B-3
78	00122-01-170	HUGGINS JANE POWERS TRUSTEE		2505 W SUMTER ST	1.189833	B-3
79	00122-01-171	BACK FORTY HOLDINGS LLC		1811 WALL ST	0.735388	B-3
80	00122-01-172	SOF LLC			3.181343	B-3
81	00122-01-173	P H B PARTNERSHIP LLP			0.125606	B-3
82	00122-01-175	TAYLOR EDWARD WARREN JR &	TAYLOR PEGGY L		1.203471	B-3
83	00122-01-176	PHB HOLDINGS INC			0.415675	B-3
84	00122-01-180	FORE THOMAS A &/OR	WISE MARTHA F TRUSTEES		0.992888	B-3
85	00122-01-181	PARKER JAMES C SR & JR			3.469755	B-5
86	00122-01-183	GREGORY LAND DEVELOPMENT II	INC C/O ROBERT E LIVINGSTON		0.891778	B-3
87	00122-01-184	MORNINGSTAR LTD PARTNERSHIP	DEPT-PT-SC-08603		3.242552	B-3
88	00122-01-185	GREENBERG STUART & PHILLIP		797 STE 1 N CASHUA DR;797 STE 2 N CASHUA DR;797 STE 3 N CASHUA DR;797 STE 4 N CASHUA DR	0.711222	B-3
89	00122-01-208	ACE CONSTRUCTION CO INC			3.142646	B-3
90	00122-01-209	SSSM FLORENCE		1331 N CASHUA DR	4.90257	B-3
91	00122-01-210	EMBREE ASSET GROUP INC		1341 N CASHUA DR	1.423788	B-3
92	00122-01-211	EDWARDS W S JR		1413 N CASHUA DR	1.062549	B-3
93	00122-01-212	EDWARDS W S JR			1.193087	B-3
94	00122-01-213	EDWARDS W S JR		1802 SALLY HILL FARMS BLVD	1.77857	B-3
95	00122-01-214	EDWARDS W S JR		1806 SALLY HILL FARMS BLVD	1.832954	B-3
96	00122-01-215	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1810 SALLY HILL FARMS BLVD	1.888704	B-3
97	00122-01-216	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1814 SALLY HILL FARMS BLVD	1.949056	B-3
98	00122-01-217	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1818 SALLY HILL FARMS BLVD	1.790942	B-3
99	00122-01-224	JORDAN WALLACE H		1823 SALLY HILL FARMS BLVD	1.519267	B-3

	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
100	00122-01-225	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1819 SALLY HILL FARMS BLVD	2.182404	B-3
101	00122-01-226	ENTRUST CAROLINAS LLC	FBO WALLACE H JORDAN IRA	1815 SALLY HILL FARMS BLVD	2.01743	B-3
102	00122-01-227	WOOD PROPERTIES-BLUE LINE	LLC	1811 SALLY HILL FARMS BLVD	1.953856	B-3
103	00122-01-238	BRITT WILLIE F		1987 WALL ST	1.458481	B-5
104	00122-01-241	FLOYD PROPERTIES OF FLORENCE	LLC	1834 SALLY HILL FARMS BLVD	5.249995	B-3
105	00122-01-242	JERNIGAN BRUCE M			1.087466	B-5
106	00122-01-245	JERNIGAN BRUCE		1920 WALL ST	1.025861	B-5
107	00122-01-246	SOF LLC		2623 W SUMTER ST	3.670293	B-3
108	00122-01-249	PHB HOLDINGS INC			0.506285	B-3
109	00122-01-250	T & E INVESTMAENTS OF SUMTER	LLC	1822 SALLY HILL FARMS BLVD	2.118918	B-3
110	00122-01-252	T&E INVESTMENTS OF SUMTER	LLC	1824 SALLY HILL FARMS BLVD	1.085328	B-3
111	00122-01-253	AVENT FRANK H		1826 SALLY HILL FARMS BLVD	1.102648	B-3
112	00122-01-254	FLOYD PROPERTIES OF FLORENCE	LLC	1828 SALLY HILL FARMS BLVD	1.119813	B-3
113	00122-01-255	FLOYD PROPERTIES OF FLORENCE	LLC	1830 SALLY HILL FARMS BLVD	1.136732	B-3
114	00122-01-258	JERNIGAN BRUCE			1.024175	B-5
115	00122-01-259	DWIGHT M &	HALL BEVERLY B		1.017541	B-3
116	00122-01-260	ADAMS SANUEL H JR			1.496477	B-3
117	00122-01-261	ADAMS SAMUEL H JR			1.361155	B-3
118	00122-01-262	ADAMS SAMUEL H JR			1.338711	B-3
119	00122-01-263	ADAMS SANUEL H JR			1.317351	B-3
120	00122-01-271	CT VENTURES LLC			0.288185	B-3
121	00122-01-273	MCMANUS MICHAEL JAY			0.515819	B-5
122	00122-01-336	DODSON BROS EXTREMINATING CO		1984 WALL ST	1.450413	B-5

	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
123	01211-01-007	POWERS TURNER PROPERTIES LLC		1569 WILLIS CIR;1567 WILLIS CIR;1563 WILLIS CIR;1559 WILLIS CIR;1555 WILLIS CIR;1551 WILLIS CIR;1531 RAMBLER RD;1547 WILLIS CIR;1554 WILLIS CIR;1527 RAMBLER RD;1552 WILLIS CIR;1543 WILLIS CIR;1546 WILLIS CIR;1539 WILLIS CIR;1521 RAMBLER RD;1	14.794334	RU-1
124	01211-01-008	GOODMAN VERMELL		1425 BRIARCLIFF DR	0.386844	R-3A
125	01211-01-009	STOCKTON HELEN ANN		1419 BRIARCLIFF DR	0.392945	R-3A
126	01211-01-011	MCIVER MICHAEL DEWAYNE		1411 BRIARCLIFF DR	0.795051	R-3A
127	01211-01-012	DUKES RANDY S &	TRAYLOR APRIL L	1409 BRIARCLIFF DR	0.36175	R-3A
128	01211-01-013	POWERS TURNER PROP LLC P/U/C	HIGGINS EMMA LEE	1407 BRIARCLIFF DR	0.348269	R-3A
129	01211-01-014	R & S PROPERTIES OF FLORENCE	LLC	1401 BRIARCLIFF DR	0.45029	R-3A
130	01211-01-015	ELLIOTT WILLIAM WALLACE &	PATRICIA B	1400 BRIARCLIFF DR	0.378402	R-3A
131	01211-01-016	BIDDLE OLIVER WAYNE		1402 BRIARCLIFF DR	0.412657	R-3A
132	01211-01-017	HOUSING AUTHORITY OF	FLORENCE THE	1406 BRIARCLIFF DR	0.343345	R-3A
133	01211-01-018	HOUSING AUTHORITY OF	FLORENCE THE	1408 BRIARCLIFF DR	0.350059	R-3A
134	01211-01-019	REGISTER HOWARD KENNETH		1412 BRIARCLIFF DR	0.349788	R-3A
135	01211-01-020	LEE JAMES H		1416 BRIARCLIFF DR	0.349562	R-3A
136	01211-01-021	JACOB HANS		1420 BRIARCLIFF DR	0.349307	R-3A
137	01211-01-022	WASHINGTON DOUGLAS		1428 BRIARCLIFF DR	0.37909	R-3A
138	01211-01-023	HICKSON LEMONA E		1432 BRIARCLIFF DR	0.378818	R-3A
139	01211-01-024	WHEELER WAYNE &	FLOWERS KATIE HEIRS	1436 BRIARCLIFF DR	0.255559	R-3A


	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
140	01211-01-025	WARNER DAYAN S		2008 FAIRFIELD CIR;1343 PINDO CT;1341 PINDO CT;1339 PINDO CT;1337 PINDO CT;1335 PINDO CT;1333 PINDO CT;1331 PINDO CT;1329 PINDO CT;1342 PINDO CT;1340 PINDO CT;1338 PINDO CT;1336 PINDO CT;1334 PINDO CT;1332 PINDO CT;1330 PINDO CT;1327 PINDO C	6.451444	RU-1
141	01211-01-026	JARRELL WILLIAM T		1922 FAIRFIELD CIR	4.968834	RU-1
142	01211-01-027	JONES FRANCES T (LE)		1914 LOT FAIRFIELD CIR;1914 LOT 1 FAIRFIELD CIR;1914 LOT 2 FAIRFIELD CIR;1914 LOT 3 FAIRFIELD CIR;1914 LOT 5 FAIRFIELD CIR;1910 FAIRFIELD CIR	5.050553	RU-1
143	01211-01-028	JONES ELSIE W		1900 LOT 2 FAIRFIELD CIR;1900 LOT 3 FAIRFIELD CIR;1900 LOT 4 FAIRFIELD CIR;1900 LOT 7 FAIRFIELD CIR;1900 LOT 6 FAIRFIELD CIR;1900 LOT 8 FAIRFIELD CIR	4.089695	RU-1
144	01211-01-029	JONES ELSIE W		1832 FAIRFIELD CIR	0.569755	B-3
145	01211-01-031	SINGLETARY VANESSA		1824 FAIRFIELD CIR	1.059995	B-3
146	01211-01-032	NORMAN VARA LOUISE GALLOWAY		1816 LOT 3 FAIRFIELD CIR;1816 LOT 4 FAIRFIELD CIR;1816 LOT 1 FAIRFIELD CIR;1816 2 FAIRFIELD CIR;1816 FAIRFIELD CIR;1814 FAIRFIELD CIR	1.464359	B-3
147	01211-01-033	TRUE FOUNDATION OF CHRIST	CHURCH WORLDWIDE	1810 FAIRFIELD CIR	0.339963	B-3
148	01211-01-034	INDIAN DRIVE PROPERTIES			1.142266	B-3
149	01211-01-035	SAMPSON PROPERTIES LLC		1451 N CASHUA DR	4.198744	B-3
150	01211-01-036	RIGG LLC			0.75208	B-3
151	01211-01-037	RIGGS LLC		1435 N CASHUA DR	5.070968	B-3
152	01211-01-038	FLORENCE CONCRETE PRODUCTS	INC		1.19368	B-3

	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
153	01211-01-039	FLORENCE CONCRETE PRODUCTS	INC	1517 N CASHUA DR	1.665189	B-3
154	01211-01-040	FLORENCE CONCRETE PRODUCTS	INC	1511 N CASHUA DR	0.927173	B-3
155	01211-01-041	IN-HOUSE REALTY LLC		1505 A N CASHUA DR;1505 B N CASHUA DR	0.362681	B-3
156	01211-01-042	LESTER LOUISE RAINEY		1813 FAIRFIELD CIR	0.489721	B-3
157	01211-01-043	BACOTE ROBERT B		1815 FAIRFIELD CIR	0.497858	B-3
158	01211-01-044	FLORENCE CONCRETE PROD CO			0.706868	B-3
159	01211-01-045	FLORENCE CONCRETE PROD INC			5.738747	B-3
160	01211-01-046	FLORENCE CONCRETE PRODUCTS	CO INC		6.060022	B-3
161	01211-01-047	WELLS DORIS MCLEOD		1917 FAIRFIELD CIR	0.35494	B-3
162	01211-01-048	BAXLEY ETTA MAE (LE) &	ELIZABETH DAWN	1919 FAIRFIELD CIR	0.261371	B-3
163	01211-01-049	ALTMAN CONNIE JANE		1506 DAVIS RD	0.272738	B-3
164	01211-01-050	ALTMAN CONNIE JANE			0.756861	B-3
165	01211-01-051	BELL ALBERT L &	BELL BETTY J		0.37873	B-3
166	01211-01-052	BELL ALBERT L &	BELL BETTY J		0.318744	B-3
167	01211-01-054	MACK GEORGE A & MARTA		2001 FAIRFIELD CIR	0.250647	B-3
168	01211-01-055	JACKSON ROBERT ETAL		2007 FAIRFIELD CIR	4.425474	B-3
169	01211-01-056	MAHAVIR & MUNI INC			7.003862	B-3
170	01211-01-067	MAHAVIR & MUNI INC		1920 W LUCAS ST	3.191916	B-3
171	01211-01-068	WILSON ALMETTA ANDERSON	C/O FIRST FLORENCE CORP	1914 W LUCAS ST	3.94613	B-3
172	01211-01-069	MCDONALD'S REAL ESTATE CO		1908 W LUCAS ST	1.149019	B-3
173	01211-01-070	G6 HOSPITALITY PROPERTY LLC	ATTN: TAX DEPT	1834 W LUCAS ST	4.480231	B-3
174	01211-01-072	CRACKER BARREL OLD COUNTRY	STORE INC #69 ATTN: PROP MGT	1824 W LUCAS ST	2.105387	B-3
175	01211-01-075	RIGG LLC C/O	INTERNATIONAL KNIFE & SAW	1441 N CASHUA DR	0.798294	B-3
176	01211-01-076	HICKS GLORIA DEAN		1423 BRIARCLIFF DR	0.389905	R-3A

	TMS	OWNER NAME	OWNER NAME 2	VERIFIED PHYSICAL ADDRESS	CALCULATED ACREAGE	PROPOSED ZONING
177	01211-01-077	DOUGLAS JOSIE		1424 BRIARCLIFF DR	0.379404	R-3A
178	01211-01-078	WILLIAMS JOSHUA C		1904 FAIRFIELD CIR	0.2973	RU-1
179	01211-01-081	COOPER MYRTLE		1908 LOT A FAIRFIELD CIR;1908 LOT FAIRFIELD CIR;1908 LOT FAIRFIELD CIR	0.598713	RU-1
180	01211-01-084	FLORENCE CONCRETE PRODUCTS	CO INC		0.516552	B-3
181	01211-01-085	PAUL LILA H		1507 DAVIS RD	0.27328	B-3
182	01211-01-088	RIGG LLC			2.75573	B-3
183	01211-01-089	WILLIAMS GARY		2113 FAIRFIELD CIR	0.847293	B-3
184	01211-01-091	SOAP N SUDS LLC C/O	DENNIS DORMAN		0.701591	B-3
185	01211-01-092	SINKFIELD RICHARD H &	GEORGANNA T	2015 FAIRFIELD CIR	0.839686	B-3
186	01211-01-094	HARDEE'S RESTAURANTS LLC		1902 W LUCAS ST	0.945925	B-3
187	01211-01-095	SOAP N SUDS LLC C/O	DENNIS DORMAN		0.481508	RU-1
188	01211-01-096	SANSBURY FRED H		1924 W LUCAS ST	1.308687	B-3
189	01211-01-097	AMI HOSPITALITY INC		1832 1/2 W LUCAS ST	1.259521	B-3
190	01211-01-098	JEFFREY W LEE INC		1832 W LUCAS ST	1.24882	B-3
191	01211-01-099	PREMIER HOTEL GROUP LLC		1826 W LUCAS ST	2.118485	B-3
192	01211-01-100	ALTMAN CONNIE JANE			0.889633	B-3
193	01211-01-102	HOTEL VENTURES OF FLORENCE	INC	1808 W LUCAS ST	1.346969	B-3
194	01211-01-103	ATLANTIC FINANCIAL GROUP LTD	ATT:TAX & LICENSE	1812 W LUCAS ST	1.159528	B-3
195	01211-01-104	HOTEL VENTURES OF FLORENCE	INC		0.402303	B-3
196	01211-01-117	SWINTON SAMANTHA M &	MYERS AREECE	1429 BRIARCLIFF DR	0.383813	R-3A
197	01211-01-118	WILLIAMS TOMMIE & ELLEN		briarcliff	0.373339	R-3A
198	01211-01-119	SHILOH UNITED APOSTOLIC	CHURCH	2016 FAIRFIELD CIR	0.153215	B-3

FLORENCE COUNTY COUNCIL MEETING
Thursday, October 16, 2014

AGENDA ITEM: Ordinance No. 10-2014/15
Introduction

DEPARTMENT: Planning and Building Department 

ISSUE UNDER CONSIDERATION:
[An Ordinance To Amend The Florence County Code, Chapter 30 – Zoning Ordinance, Sec. 30-264. Responsibility of Administrative Official, Sec. 30-293. Board of Zoning Appeals.; And Other Matters Related Thereto.] *(Planning Commission approved 7-0: All Council Districts)*

- POINTS TO CONSIDER:**
1. Periodically staff reviews ordinance items that need to be updated to meet the needs of Florence County as a whole. The amendments proposed provide more discretion to staff when there is proposed development in special flood hazard district.
 2. The proposed amendment changes clarify the Zoning Administrators responsibilities for development in the special flood hazard district and provide a guide for when a variance is requested from Division 4. FH Flood Hazard District Section of the Zoning Ordinance.
 3. The Planning Commission and Building Department staff developed the amendments to make the Ordinance compliant with the Department of Homeland Security's Federal Emergency Management agency (FEMA) additional requirements.

- OPTIONS:**
1. *(Recommended)* Approve as Presented.
 2. Provide an Alternate Directive.

- ATTACHMENTS:**
1. Ordinance No. 10-2014/15 New Proposed
 2. Staff report for PC#2014-08

Sponsor(s)	: Engineering Department	I, _____,
Planning Commission Consideration	: September 23, 2014	Council Clerk, certify that this
Planning Commission Public Hearing	: September 23, 2014	Ordinance was advertised for
Planning Commission Recommendation	: September 23, 2014[7-0]	Hearing on _____.
First Reading/Introduction	: October 16, 2014	
Committee Referral	:	
Second Reading	:	
Third Reading	:	
Effective Date	:	

ORDINANCE NO. 10-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Amend The Florence County Code, Chapter 30 – Zoning Ordinance, Section 30-264. Responsibility Of Administrative Official, Section 30-293. Board Of Zoning Appeals; And Other Matters Related Thereto.)

WHEREAS:

1. Chapter 30 – Zoning Ordinance was adopted into the Florence County Code of Ordinances on June 7, 2007; and
2. On June 16, 2014 FEMA completed a re-evaluation of the Flood Hazards in Florence County; and
3. The proposed amendment changes clarify the Zoning Administrator responsibilities for development in the special flood hazard district and provide a guide for when a variance is requested from Division 4. FH Flood Hazard District Section of the Zoning Ordinance.

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

1. **Chapter 30 – Zoning Ordinance, Section 30-264. Responsibility of administrative official.** is hereby amended as follows:
 - a) deleting the following text: “In designated flood hazard areas, delineated on FEMA maps, the zoning administrator shall have the following additional responsibilities:”; and,
 - b) inserting in lieu thereof the following text: “In designated flood hazard areas, delineated on FEMA maps, the zoning administrator shall follow the procedures set forth by Division 4. FH Flood Hazard District of this Ordinance; and,
 - c) deleting the following sections: (10) through (18)c.

2. **Section 30-293. Board of zoning appeals.** is hereby amended by inserting the following:

(k) *Exceptions.* The Board of Zoning Appeals does not have the authority to issue variances or special exceptions of Division 4. FH Flood Hazard District of this Ordinance. Refer to Section 30-63 of this Ordinance for procedures in granting variances or special exceptions of Division 4. FH Flood Hazard District.

3. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
4. 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

James T. Schofield, Chairman

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT:

DRAFT

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
Tuesday, September 23, 2014
PC#2014-08
ORDINANCE NO. 10-2014/15**

SUBJECT: Text amendment request of the Florence County Code of Ordinances, Chapter 30 – Zoning Ordinance, Sec. 30-264. Responsibility of administrative official, Sec. 30-293. Board of zoning appeals.

APPLICANT: Florence County Planning & Building Department

STAFF ANALYSIS:

Periodically staff reviews ordinance items that need to be updated to meet the needs of Florence County as a whole. The amendments proposed provide more discretion to staff when there is proposed development in special flood hazard district.

The proposed amendment changes clarify the Zoning Administrators responsibilities for development in the special flood hazard district and provides a guide for when a variance is requested from Division 4. FH Flood Hazard District Section of the Zoning Ordinance.

The Florence County Code, Chapter 30 – Zoning Ordinance, Sec. 30-264. Responsibility of administrative official, Sec. 30-293. Board of zoning appeals. The Text amendment shall read as follows:

Sec. 30-264. Responsibility of administrative official.

Administrative responsibilities shall include, but are not limited to, the following:

- (1) Interpretation of the general intent and/or specific meaning of any portion of the ordinance text, position of district boundaries, district designation, or other matters relating to the official zoning maps (atlas).
- (2) Maintain the official zoning maps (atlas) and record all amendments to and information thereon.
- (3) Maintain copies of this chapter for public inspection and have up to date copies available to the public. A mailing list of ordinance holders shall be kept in order to expedite dissemination of any annual amendments to the text.
- (4) Provide public information relating to zoning matters including scheduled meetings of the Florence County Planning Commission and Florence County Board of Zoning Appeals.
- (5) Receive, process, and record all applications for certificates of zoning compliance, zoning amendments, planned development projects, and variance requests with accompanying plans and documents which shall be a public record.

- (6) Register and maintain records and maps on non-conforming uses, structures, and undeveloped lots.
- (7) Receive and process applications for change and/or relief as provided for in article IX of this chapter.
- (8) Appear before and provide assistance to the Florence County Planning Commission and the Florence County Board of Zoning Appeals.
- (9) Revoke permits or certificates in violation of the provisions of this chapter.

In designated flood hazard areas, delineated on FEMA maps, the zoning administrator shall follow the procedures set forth by Division 4. FH Flood Hazard District of this ordinance. have the following additional responsibilities:

- ~~(10) Advise applicants that additional federal and state permits may be required, and assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.~~
- ~~(11) Notify adjacent property owners and the S.C. Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency.~~
- ~~(12) Assure that appropriate maintenance is provided for in writing by the owner within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.~~
- ~~(13) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.~~
- ~~(14) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed.~~
- ~~(15) Obtain certification from a registered professional engineer or architect when flood-proofing is utilized for a particular structure.~~
- ~~(16) Obtain, review, and utilize any base flood elevation data available from a federal, state, or other source when such data are not available from FEMA.~~
- ~~(17) Maintain all records pertaining to the provisions of this chapter, which records shall be open for public inspection during workday hours.~~
- ~~(18) Review Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposal shall be reviewed to assure that:~~

- ~~a. All such proposals are consistent with the need to minimize flood damage within the flood-prone area;~~
- ~~b. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;~~
- ~~e. Adequate drainage is provided to reduce exposure to flood hazards.~~

Sec. 30-293. Board of zoning appeals.

- (a) *Board of zoning appeals; membership; terms of office; vacancies; compensation.* As a part of the administrative mechanism designed to enforce the Zoning Ordinance, the Zoning Ordinance may provide for the creation of a board to be known as the board of zoning appeals. Local governing bodies with a joint planning commission and adopting a common Zoning Ordinance may create a board to be known as the joint board of appeals. All of these boards are referred to as the board.

The Florence County Board of Zoning Appeals shall be established by county council by ordinance.

- (b) *Board of zoning appeals; officers; rules; meetings; notice; records.* The board shall elect one of its members chairman, who shall serve for one year or until he is re-elected or his successor is elected and qualified. The board shall appoint a secretary who may be an officer of the governing authority or of the zoning board. The board shall adopt rules of procedure in accordance with the provisions of an ordinance adopted pursuant to this chapter. Meetings of the board must be held at the call of the chairman and at such other times as the board may determine. Public notice of all meetings of the board of appeals shall be provided by publication in a newspaper of general circulation in the municipality or county. In cases involving variances or special exceptions conspicuous notice shall be posted on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. The chairman or, in his or her absence, the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the board and must be a public record. The election of officers shall occur at the July meeting or the first meeting thereafter.
- (c) *Powers of board of appeals; variances; special exceptions; remand; stay; hearing; decisions and orders.* The board of appeals has the following powers:

- (1) To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the Zoning Ordinance;
- (2) To 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. 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; and
 - d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
 1. 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. Other requirements may be prescribed by the Zoning Ordinance.
 2. In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare;
- (3) To permit uses by special exception subject to the terms and conditions for the uses set forth for such uses in the Zoning Ordinance; and
- (4) To remand a matter to an administrative official, upon motion by a party or the board's own motion, if the board determines the record is insufficient for review. A party's motion for remand may be denied if the board determines that the record is sufficient for review. The board must set a rehearing on the remanded matter without further public notice for a time

certain within 60 days unless otherwise agreed to by the parties. The board must maintain a list of persons who express an interest in being informed when the remanded matter is set for rehearing, and notice of the rehearing must be mailed to these persons prior to the rehearing.

Appeals to the board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality or county. The appeal must be taken within a reasonable time, as provided by the Zoning Ordinance or rules of the board, or both, by filing with the officer from whom the appeal is taken and with the board of appeals notice of appeal specifying the grounds for the appeal. If no time limit is provided, the appeal must be taken within 30 days from the date the appealing party has received actual notice of the action from which the appeal is taken. The officer from whom the appeal is taken immediately must transmit to the board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In that case, proceedings may not be stayed other than by a restraining order which may be granted by the board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

The board must fix a reasonable time for the hearing of the appeal or other matter referred to the board, and give at least fifteen days' public notice of the hearing in a newspaper of general circulation in the community, as well as due notice to the parties in interest, and decide the appeal or matter within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney.

In exercising the above power, the board of appeals may, in conformity with the provisions of this chapter, reverse or affirm, wholly or in part, or may modify the order, requirements, decision, or determination, and to that end, has all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The board, in the execution of the duties specified in this chapter, may subpoena witnesses and in case of contempt may certify this fact to the circuit court having jurisdiction.

All final decisions and orders of the board must be in writing and be permanently filed in the office of the board as a public record. All findings of fact and conclusions of law must be separately stated in final decisions or orders of the board which must be delivered to parties of interest by certified mail.

(d) *Contempt; penalty.* In case of contempt by a party, witness, or other person before the board of appeals, the board may certify this fact to the circuit court of the county in which the contempt occurs and the judge of the court, in open court or in chambers, after hearing, may impose a penalty as authorized by law.

(e) *Appeal from zoning board of appeals to circuit court; pre-litigation mediation; filing requirements.* A person who may have a substantial interest in any decision of the board of appeals or an officer or agent of the appropriate governing authority may appeal from a decision

of the board to the circuit court in and for the county, by filing with the clerk of the court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within 30 days after the decision of the board is mailed.

A property owner whose land is the subject of a decision of the board of appeals may appeal either:

- (1) As provided in subsection (a); or
- (2) By filing a notice of appeal with the circuit court accompanied by a request for pre-litigation mediation in accordance with S.C. Code 1976, § 6-29-825.

Any notice of appeal and request for pre-litigation mediation must be filed within 30 days after the decision of the board is postmarked.

Any filing of an appeal from a particular board of appeals decision pursuant to the provisions of this chapter must be given a single docket number, and the appellant must be assessed only one filing fee pursuant to S.C. Code 1976, § 8-21-310(11)(a).

(f) *Pre-litigation mediation; notice; settlement approval; effect on real property; unsuccessful mediation.* If a property owner files a notice of appeal with a request for pre-litigation mediation, the request for mediation must be granted, and the mediation must be conducted in accordance with South Carolina Circuit Court Alternative Dispute Resolution Rules and this section. A person who is not the owner of the property may petition to intervene as a party, and this motion must be granted if the person has a substantial interest in the decision of the board of appeals.

The property owner or his representative, any other person claiming an ownership interest in the property or his representative, and any other person who has been granted leave to intervene pursuant to subsection (a) or his representative must be notified and have the opportunity to attend the mediation. The governmental entity must be represented by at least one person for purposes of mediation.

Within five working days of a successful mediation, the mediator must provide the parties with a signed copy of the written mediation agreement.

Before the terms of a mediation settlement may take effect, the mediation settlement must be approved by:

- (1) The local legislative governing body in public session; and
- (2) The circuit court as provided in subsection 30-293(g).

Any land use or other change agreed to in mediation which affects existing law is effective only as to the real property which is the subject of the mediation, and a settlement agreement sets no precedent as to other parcels of real property.

If mediation is not successful or if the mediated settlement is not approved by the local legislative governing body, a property owner may appeal by filing a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The petition must be filed with the circuit court within 30 days of:

- (1) The report of an impasse as provided in the South Carolina Circuit Court Alternative Dispute Resolution Rules; or
- (2) The failure to approve the settlement by the local governing body.

The circuit court judge must approve the settlement if the settlement has a rational basis in accordance with the standards of this chapter. If the mediated settlement is not approved by the court, the judge must schedule a hearing for the parties to present evidence and must issue a written opinion containing findings of law and fact. A party may appeal from the decision:

- (1) In the same manner as provided by law for appeals from other judgments of the circuit court; or
- (2) By filing an appeal pursuant to subsection (f).

(g) *Notice of appeal; transcript; supersedes.* Upon the filing of an appeal with a petition as provided in S.C. Code 1976, § 6-29-820(A) or § 6-29-825(F), the clerk of the circuit court must give immediate notice of the appeal to the secretary of the board and within thirty days from the time of the notice, the board must file with the clerk a duly certified copy of the proceedings held before the board of appeals, including a transcript of the evidence heard before the board, if any, and the decision of the board including its findings of fact and conclusions.

The filing of an appeal in the circuit court from any decision of the board does not ipso facto act as a supersedes, but the judge of the circuit court may in his discretion grant a supersedes upon such terms and conditions as may seem reasonable and proper.

(h) *Determination of appeal; costs; trial by jury.* At the next term of the circuit court or in chambers, upon ten days' notice to the parties, the presiding judge of the circuit court of the county must proceed to hear and pass upon the appeal on the certified record of the board proceedings. The findings of fact by the board of appeals must be treated in the same manner as a finding of fact by a jury, and the court may not take additional evidence. In the event the judge determines that the certified record is insufficient for review, the matter may be remanded to the zoning board of appeals for rehearing. In determining the questions presented by the appeal, the court must determine only whether the decision of the board is correct as a matter of law. In the event that the decision of the board is reversed by the circuit court, the board is charged with the costs, and the costs must be paid by the governing authority which established the board of appeals.

When an appeal includes no issues triable of right by jury or when the parties consent, the appeal must be placed on the nonjury docket. A judge, upon request by any party, may in his discretion give the appeal precedence over other civil cases. Nothing in this subsection prohibits a property owner from subsequently electing to assert a pre-existing right to trial by jury of any issue beyond the subject matter jurisdiction of the board of appeals, such as, but not limited to, a determination of the amount of damages due for an unconstitutional taking.

- (i) *Appeal to supreme court.* A party in interest who is aggrieved by the judgment rendered by the circuit court upon the appeal may appeal in the manner provided by the South Carolina Appellate Court Rules.
- (j) *Financing of board of zoning appeals.* The governing authority may appropriate such monies, otherwise unappropriated, as it considers fit to finance the work of the board of appeals and to generally provide for the enforcement of any zoning regulations and restrictions authorized under this chapter which are adopted and may accept and expend grants of money for those purposes from either private or public sources, whether local, state, or federal.
- (k) Exceptions. The board of zoning appeals does not have the authority to issue variances or special exceptions of Division 4. FH Flood Hazard District of this ordinance. Refer to Sec. 30-63 of this ordinance for procedures in granting variances or special exceptions of Division 4. FH Flood Hazard District.

Florence County Planning Commission Action: September 23, 2012:

The seven Planning Commission members present voted unanimously to recommend approval of the request to Florence County Council in order to keep County Ordinances current and accurate.

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Introduction of Ordinance No. 11-2014/15 By Title Only

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

(An Ordinance Authorizing The Award, Execution, And Delivery Of A Performance Contract For Energy And Utility Conservation Measures By Florence County, South Carolina; Authorizing The Award, Execution, And Delivery Of A Lease Purchase Agreement By Florence County, South Carolina In A Principal Amount Of Not Exceeding \$8,000,000, Relating To Such Performance Contract; Authorizing The Execution Of Other Necessary Documents And Papers; And Other Matters Relating Thereto.)

POINTS TO CONSIDER:

1. At its regular meeting on May 15, 2014, County Council approved the Award Of Guaranteed Energy Savings Services To Pepco Energy Services, Inc. (Pepco)
2. For the past few months, Pepco has been performing an Investment Grade Energy Audit (IGEA). During this audit, Pepco has visited each of the County's over 30 buildings to identify potential energy conservation measures.
3. Pepco has now completed its audit and is recommending numerous energy conservation measures. The cost to purchase and install the items recommended by Pepco will not exceed \$8,000,000 and will be financed by a lease purchase agreement with a term of approximately fifteen years.
4. As a part of its contract, Pepco is guaranteeing that the annual utility cost savings will be in an amount sufficient enough to fund the annual lease payment. Therefore, Florence County will incur no additional increase in cost to its annual budget from the purchase and installation of these energy conservation measures or from the annual lease payments.

FUNDING FACTORS:

There is no need for increased funding for this project. The annual utility cost savings from the energy conservation measures will be in an amount sufficient to make the annual payments on the lease.

OPTIONS:

1. *(Recommended)* Approve Introduction of Ordinance No. 11-2014/15 by title only
2. Provide An Alternate Directive.

ATTACHMENT:

1. Copy of Ordinance No. 11-2014/15 (title only)
2. Executive Summary of project from Pepco.

Sponsor(s) : Finance Department
First Reading : October 16, 2014
Committee Referral :
Committee Consideration Date :
Committee Recommendation :
Second Reading :
Public Hearing :
Third Reading :
Effective Date :

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

ORDINANCE NO. 11-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

AN ORDINANCE

AUTHORIZING THE AWARD, EXECUTION, AND DELIVERY OF A PERFORMANCE CONTRACT FOR ENERGY AND UTILITY CONSERVATION MEASURES BY FLORENCE COUNTY, SOUTH CAROLINA; AUTHORIZING THE AWARD, EXECUTION, AND DELIVERY OF A LEASE PURCHASE AGREEMENT BY FLORENCE COUNTY, SOUTH CAROLINA IN A PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,000,000, RELATING TO SUCH PERFORMANCE CONTRACT; AUTHORIZING THE EXECUTION OF OTHER NECESSARY DOCUMENTS AND PAPERS; AND OTHER MATTERS RELATING THERETO.

Energy Savings Performance Contract

Executive Summary

Issue:

The County is considering entering into an Energy Savings Performance Contract (ESPC) with Pepco Energy Services that will be self-funding through utility and maintenance material savings.

Recommendation:

Staff requests the County Council to approve Introduction of the attached Ordinance authorizing lease-purchase financing for ESPC Project. The not to exceed amount of \$8,000,000 will be adjusted when the Investment Grade Energy Audit (IGEA) is completed and presented to Council. The Council is requested to proceed with the Introduction of this Ordinance in anticipation of Second Reading and Project consideration to occur concurrently at a future Council meeting.

Background:

Florence County provides facilities management services for thirty-three (33) buildings which encompass over 700,000 square feet to provide services for the residents and visitors of the County. This responsibility includes seeking operational efficiencies and cost savings whenever possible.

The County's most recent 12 month annual expenditure for electricity, natural gas, water and sewer is \$1,881,668. Florence County's budget annually anticipates an increase in utilities primarily due to rate increases from providers but also from equipment inherently becoming less efficient as it ages.

Florence County entered into a Memorandum of Understanding (MOU) for an IGEA with Pepco Energy Services on June 4, 2014 via the procurement of a competitive Request for Proposal. This understanding was structured and allowed the vendor (Pepco Energy Services) to substantially review all of the buildings systems impacting energy usage (for example - HVAC, Building Controls, Lighting, Toilets, Urinals, Sinks, Windows, Roofs, etc.).

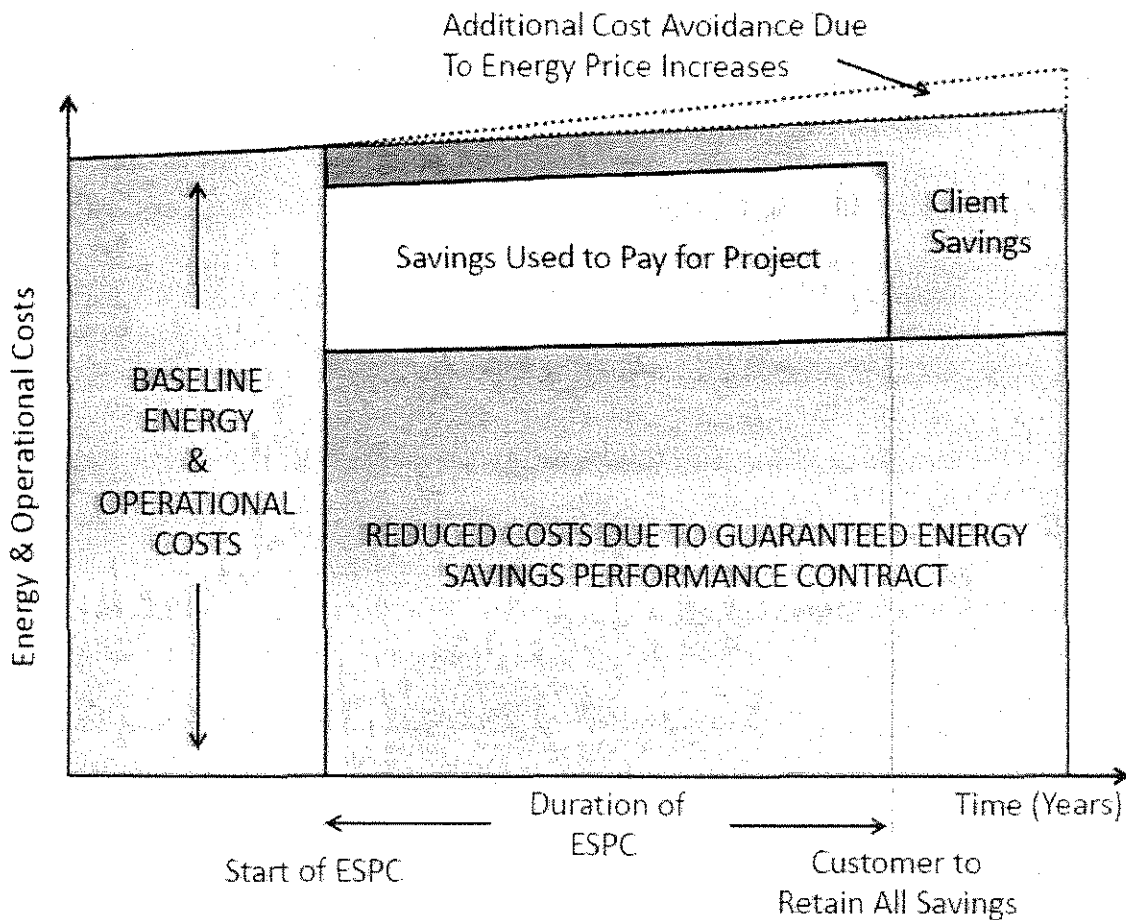
Pepco Energy Services is currently expecting to deliver this completed IGEA report to Florence County on October 6, 2014. Results of this report reflect that an annual utility costs and maintenance material savings of \$490,000 could be achieved from performing \$6.59 million in facility improvements. These improvements would be financed through an annually budget positive, tax-exempt lease-purchase financing (see additional detail on financing below) over a 15 year financing term plus a 15 month construction period.

Preliminary Project Report Highlights:

- Over \$200,000 in utility rebates
- Roughly 12,000 new or retro-fitted interior and exterior Light Emitting Diode (LED) Fixtures throughout the County's facilities
- New HVAC System for Public Services Building (@ \$1.5 Million)
- Retro-fitted HVAC System and New HVAC Control for County Complex Building (@ \$1.9 Million)
 - Individual Temperature Control

- 480 New or Retro-fitted toilet, urinal and sinks in Law Enforcement Center, Public Services Building and County Complex Building
- Ozone System for Laundry at Florence Law Enforcement Center
- Kitchen Hood Variable Air Volume Replacement at Florence Law Enforcement Center
- Replacement of (35) transformers with High Efficiency Transformers at Law Enforcement Center, County Complex, City County Civic Center and Public Services Buildings
- Outside Air Improvements with demand controlled ventilation at Florence Library
- Improved Space Temperature Control at Pamplico Library, Lake City Library, Johnsonville Library, Timmonsville Library, Planning and Building Inspection, EMS HQ (Florence), Leatherman Senior Center
- Chiller Plant Controls Improvement at Florence Law Enforcement Center

The diagram below provides a visual as to how the savings created by the energy savings improvements is used to repay the cost of those improvements while passing on current savings and larger future savings when the debt service is no longer required. This will also reduce a portion of the negative impacts of future utility rate increases.



The approval of this ordinance will be contingent on the approval of the Project.

Energy Savings Guarantee:

Pepco Energy Services will financially guarantee (and provide a Corporate Surety Guarantee from our parent company Pepco Holdings, Inc., a Fortune 500 corporation) for the energy savings to ensure that the annual debt repayment is equal to or less than the energy savings guaranteed for Years 1 through 5 of the 15 year financing term.

Typically if the vendor meets the guarantee for the first 5 years there is little that changes in terms of the energy conservation measure or the equipment, and the changes are typically based on Florence County requirements such as the operation of the building (for example – the building was originally utilized for 8 hour operation and now is used for 24 hour operation). These are material changes that Pepco Energy has no control over and typically the experience of past municipalities using this ESPC vehicle is it benefits the County not to fund the measurement and verification of energy savings (and thus the energy savings guarantee) for Years 6 through the Financing Term conclusion. This Year 1 through 5 energy savings guarantee is similar to both the Horry County and Spartanburg County School District Three ESPCs this vendor is currently constructing for these entities.

Any contract that may pursue, will allow for the County to extend the option to purchase the additional Measurement and Verification Services as well as Energy Savings Guarantee for Years 6 through 15 in the event that Florence County believes a shortfall of energy savings is plausible going into Year 6. The County may also cancel these services at any time after the first year.

At any time during the contract term with Pepco Energy Services for the energy savings guarantee, should there be a shortfall of energy savings; Pepco Energy Services will make a payment to Florence County in the full amount of the shortfall.

Financing Highlights:

Tax-Exempt Lease-Purchase (TELP) agreements are common public sector financing alternatives that allow repayment from operating expense dollars rather than capital expense dollars. They are effective alternatives to traditional debt financing (bonds, loans, etc.) and allow local governments to pay for ESPC projects by using money already allocated in utility budgets. When properly structured, this type of financing allows the County to draw on dollars saved from utility bills to pay for the guaranteed ESPC. Typically lenders experienced in this type of financing are Bank of America, TD Equipment Finance, SunTrust, Green Campus Partners, etc.

A TELP is similar to an installment-purchase agreement rather than a traditional lease or rental agreement. Under most rental agreements (such as those used in car leasing), the renter (lessee) returns the asset (the car) at the end of the lease term, without building any equity in the asset being leased and can postpone the decision to acquire the asset being financed until the end of the lease term. A TELP, however, presumes that the County will own the equipment after the term expires. Further, the interest rates are appreciably lower than those on a taxable commercial lease-purchase agreement because the interest paid on the debt instrument is exempt from federal income tax for local governments.

In accordance with SC Code of Laws 11-27-110(C), the County may finance this Project pursuant to SC Code of Laws Section 48-52-670 and such financing will not count against the County's constitutional debt limitation. In addition, the non-appropriations language of a typical TELP agreement effectively limits the payment obligation to the County's current operating budget period. Therefore, if for some reason future funds are not appropriated, the equipment is returned to the lender, and the repayment obligation is terminated at the end of the current operating period without placing any obligation on your future budgets.

At closing, under this proposed financing structure, funds in an amount sufficient to capitalize the entire project are typically deposited into an interest-bearing escrow account established by the County and held for the benefit of the County. The funds are invested, at the direction of the County, and the County would request the disbursement of payments to Pepco Energy Services during the installation period based on the percentage of construction completed each month, similar to typical construction contracts the County is familiar with.

Interest will begin to accrue at closing, and no payments will be due by the County during the construction period. Once the Project is installed and the County begins to realize energy savings, payments of principal and interest are due to the lender. These savings generated by the ESPC, which are realized by the County's operating budget, are used to make payments to the lender.

Interest rates are fluid, and Pepco Energy Services has financially modeled this project utilizing a conservative interest rate. If rates were to decrease below the rate included in the Pepco Energy model, this would allow the county to self-fund additional energy conservation measures therefore increasing the capital improvement project above the preliminary \$6.4 million size. If rates were to increase, this would decrease the size of the project.

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Introduction of Ordinance No. 12-2014/15 By Title Only

DEPARTMENT: Economic Development

ISSUE UNDER CONSIDERATION:

(An Ordinance Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Florence County And Project Cowgirl, Whereby Florence County Will Enter Into A Fee-In-Lieu Of Tax Arrangement With Project Cowgirl, And Providing For Payment By Project Cowgirl Of Certain Fees-In-Lieu Of Ad Valorem Taxes; And Other Matters Relating Thereto.)

OPTIONS:

1. *(Recommended)* Introduce Ordinance No. 12-2014/15 By Title Only.
2. Provide An Alternate Directive.

ATTACHMENT:

Copy of Proposed Ordinance No. 12-2014/15 Title

Sponsor(s) : Economic Development
First Reading/Introduction : October 16, 2015
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing :
Second Reading :
Third Reading :
Effective Date : Immediately

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

ORDINANCE NO. 12-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Florence County And Project Cowgirl, Whereby Florence County Will Enter Into A Fee-In-Lieu Of Tax Arrangement With Project Cowgirl, And Providing For Payment By Project Cowgirl Of Certain Fees-In-Lieu Of Ad Valorem Taxes; And Other Matters Relating Thereto.)

DRAFT

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Reports to Council
Monthly Financial Reports

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Monthly Financial Reports Are Provided To Council For Fiscal Year 2015 Through August 31, 2014 As An Item For The Record.

ATTACHMENTS:

Copies of the monthly financial reports.

FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY15
07/01/14 TO 08/31/14

	BUDGETED	YEAR-TO-DATE ACTUAL	REMAINING	
	REVENUE	REVENUE	BALANCE	PCT
REVENUES				
Taxes	37,940,690	(10,135)	37,950,825	100.03%
Licenses & Permits	1,525,350	282,338	1,243,012	81.49%
Fines & Fees	3,229,000	432,878	2,796,122	86.59%
Intergovernmental	5,932,783	70,453	5,862,330	98.81%
Sales and Other Functional	5,838,050	858,612	4,979,438	85.29%
Miscellaneous	418,250	161,683	256,567	61.34%
Operating Transfers	(858,689)	-	(858,689)	100.00%
Use of Fund Balance	-	-	-	
TOTAL	54,025,434	1,795,829	52,229,605	96.68%

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY15
07/01/14 TO 08/31/14**

		BUDGETED EXPENDITURE	YEAR-TO-DATE	REMAINING BALANCE	PCT
			ACTUAL EXPENDITURE		
EXPENDITURES					
10-411-401	County Council	353,581	52,609	300,972	85.12%
10-411-402	Administrator	631,634	75,271	556,362	88.08%
10-411-403	Clerk of Court	1,836,252	271,462	1,564,790	85.22%
10-411-404	Solicitor	1,111,272	205,294	905,978	81.53%
10-411-405	Judge of Probate	583,476	70,630	512,846	87.89%
10-411-406	Public Defender	761,055	86,608	674,447	88.62%
10-411-407	Magistrates	2,347,412	361,642	1,985,770	84.59%
10-411-409	Legal Services	79,000	16,475	62,525	79.15%
10-411-410	Voter Registration & Elections	577,248	73,877	503,371	87.20%
10-411-411	Finance	770,075	121,887	648,188	84.17%
10-411-412	Human Resources	397,559	63,566	333,993	84.01%
10-411-413	Procurement & Vehicle Maintenance	649,999	124,995	525,004	80.77%
10-411-414	Administrative Services	447,053	57,757	389,296	87.08%
10-411-415	Treasurer	1,245,007	157,167	1,087,840	87.38%
10-411-416	Auditor	479,576	60,943	418,633	87.29%
10-411-417	Tax Assessor	1,330,487	189,609	1,140,878	85.75%
10-411-418	Planning and Building	2,068,117	266,856	1,801,261	87.10%
10-411-419	Complex	1,374,112	245,722	1,128,390	82.12%
10-411-420	Facilities Management	758,623	125,842	632,781	83.41%
10-411-427	Information Technology	2,097,533	345,063	1,752,470	83.55%
10-411-446	Veteran's Affairs	155,822	21,945	133,877	85.92%
10-411-480	Senior Citizen Centers	325,223	21,179	304,044	93.49%
10-411-485	General Direct Assistance	217,996	27,419	190,577	87.42%
10-411-488	Contingency	225,140	53,510	171,630	76.23%
10-411-489	Employee Non-Departmental	526,415	101,680	424,735	80.68%
10-421-421	Sheriff's Office	17,004,890	3,107,514	13,897,376	81.73%
10-421-422	Emergency Management	2,475,320	422,063	2,053,257	82.95%
10-451-423	EMS	5,763,141	785,177	4,977,965	86.38%
10-451-424	Rescue Squads	359,211	12,062	347,149	96.64%
10-451-425	Coroner	327,969	67,145	260,824	79.53%
10-451-441	Health Department	80,934	20,691	60,243	74.43%
10-451-442	Environmental Services	809,999	113,653	696,346	85.97%
10-451-485	Health Direct Assistance	14,502	-	14,502	100.00%
10-461-485	Welfare - MIAP & DSS	552,433	115,031	437,402	79.18%
10-471-451	Recreation	1,828,856	376,335	1,452,521	79.42%
10-471-455	County Library	3,628,157	582,904	3,045,253	83.93%
10-481-485	Literacy Council	4,515	-	4,515	100.00%
TOTAL		54,199,594	8,801,582	45,398,012	83.76%

Percent of Fiscal Year Remaining = 83.33%

**FLORENCE COUNTY
BUDGET REPORT - OTHER FUNDS
CURRENT PERIOD: 07/01/14 TO 08/31/14**

	BUDGETED EXPENDITURE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT	BUDGETED REVENUE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT
45 County Debt Service Fund	3,966,684	145,014	3,821,670	96.34%	3,966,684	94,971	3,871,713	97.61%
112 Economic Development Partnership Fund	439,749	63,039	376,710	85.66%	439,749	56,937	382,812	87.05%
123 Local Accommodations Tax Fund	2,473,549	329,078	2,144,471	86.70%	2,473,549	161,836	2,311,713	93.46%
124 Local Hospitality Tax Fund	1,543,062	305,605	1,237,457	80.19%	1,543,062	146,448	1,396,614	90.51%
131 District Utility Allocation Fund	1,000,000	65,462	934,538	93.45%	1,000,000	1,000,000	-	0.00%
132 District Infrastructure Allocation Fund	1,013,601	1,930	1,011,671	99.81%	1,013,601	698,601	315,000	31.08%
151 Law Library Fund	100,000	7,374	92,626	92.63%	100,000	4,753	95,247	95.25%
153 Road System Maintenance Fee Fund	3,836,860	746,542	3,090,318	80.54%	3,836,860	583,861	3,252,999	84.78%
154 Victim/Witness Assistance Fund	225,404	11,542	213,862	94.88%	225,404	25,583	199,821	88.65%
421 Landfill Fund	4,132,165	344,043	3,788,122	91.67%	4,132,165	88,554	4,043,611	97.86%
431 E911 System Fund	1,189,211	31,130	1,158,081	97.38%	1,189,211	14,660	1,174,551	98.77%
TOTALS:	19,920,285	2,050,758	17,869,527	89.71%	19,920,285	2,876,205	17,044,080	85.56%

Percent of Fiscal Year Remaining: 83.33%

331 Capital Project Sales Tax (Florence County Forward road projects) received and interest earned
(See separate attachment for additional details.)

\$ 155,642,056

**Florence County Council
District Allocation Balances
Beginning Balances as of 8/31/2014**

Council District #	Type of Allocation	Beginning Budget FY14	Commitments & Current Year Expenditures	Current Available Balances
1	Infrastructure	101,342	3,100	98,242
	Paving	178,063	-	178,063
	Utility	95,137	36,728	58,409
	In-Kind	19,800	1,617	18,183
2	Infrastructure	48,748	1,000	47,748
	Paving	253,324	10,000	243,324
	Utility	26,152	-	26,152
	In-Kind	19,800	-	19,800
3	Infrastructure	42,275	-	42,275
	Paving	198,887	47,000	151,887
	Utility	102,371	52,377	49,994
	In-Kind	19,800	-	19,800
4	Infrastructure	198,092	4,000	194,092
	Paving	269,355	-	269,355
	Utility	68,049	-	68,049
	In-Kind	19,800	1,838	17,962
5	Infrastructure	41,128	5,500	35,628
	Paving	205,436	9,150	196,286
	Utility	68,856	-	68,856
	In-Kind	19,800	18,665	1,135
6	Infrastructure	225,400	-	225,400
	Paving	149,470	-	149,470
	Utility	309,840	-	309,840
	In-Kind	19,800	-	19,800
7	Infrastructure	47,126	-	47,126
	Paving	170,868	-	170,868
	Utility	166,964	31,377	135,587
	In-Kind	19,800	-	19,800
8	Infrastructure	82,990	-	82,990
	Paving	52,276	-	52,276
	Utility	80,840	21,000	59,840
	In-Kind	19,800	17,320	2,480
9	Infrastructure	98,267	4,000	94,267
	Paving	114,743	-	114,743
	Utility	163,235	4,620	158,615
	In-Kind	19,800	-	19,800

Infrastructure funds to be used for capital projects or equipment purchases. (See guidelines)
Paving funds to be used for paving or rocking roads. See guidelines in County code.
Utility funds to be used for water, sewer, stormwater, and any infrastructure fund projects.
In-Kind funds to be used for projects completed by the Public Works Department.

**FLORENCE COUNTY FORWARD
CAPITAL PROJECT SALES TAX**

As of August 31, 2014

EXPENDITURES	Project Budget	Design or Engineering	Right of Way	Construction	Total Expended	Balance Unexpended	Budget % Expended
Pine Needles Road Widening	\$ 17,676,768.00	\$ 710,297.09	\$ 1,224,997.80	\$ 14,229,979.96	\$ 16,165,274.85	\$ 1,511,493.15	91.45%
US 378 Widening	\$ 138,751,620.00	\$ 5,793,599.11	\$ 7,349,933.52	\$ 5,176,613.53	\$ 18,320,146.16	\$ 120,431,473.84	13.20%
US 76 Widening	\$ 31,641,621.00	\$ 2,334,369.46	\$ 2,640,535.38	\$ 2,584,399.08	\$ 7,559,303.92	\$ 24,082,317.08	23.89%
TV Road Widening	\$ 34,519,290.00	\$ 2,283,388.02	\$ 2,644,486.97	\$ 3,838,387.47	\$ 8,766,262.46	\$ 25,753,027.54	25.40%
SC 51 Widening	\$ 151,533,817.00	\$ 3,271,510.49	\$ 3,595,039.36	\$ 15,424.24	\$ 6,881,974.09	\$ 144,651,842.91	4.54%
US 301 Bypass Extension	\$ 73,464,146.00	\$ 459,685.24	\$ 13,566.00	\$ -	\$ 473,251.24	\$ 72,990,894.76	0.64%
	\$ 447,587,262.00	\$ 14,852,849.41	\$ 17,468,559.03	\$ 25,844,804.28	\$ 58,166,212.72	\$ 389,421,049.28	13.00%

REVENUES	Revenue Budget				Received/Earned to Date	Balance To Be Rcvd/Earned	Balance % Rcvd/Earned
Capital Project Sales Tax	\$ 148,000,000.00				\$ 144,702,128.85		
Sales Tax Interest Earnings	\$ -				\$ 10,939,927.34	\$ 3,297,871.15	105.16%
Earned State SIB Fund Match	\$ 250,000,000.00				\$ 250,000,000.00	\$ -	100.00%
	\$ 398,000,000.00				\$ 405,642,056.19	\$ 3,297,871.15	101.92%

NOTE 1: Revenue Received/Earned to Date is as of September 30, 2014, since capital project sales tax and interest is received from the state on a quarterly basis.

NOTE 2: Merchant collection of sales tax concluded on April 30, 2014.

**Florence County
CPST #2 Summary
As of August 31, 2014**

Bond proceeds	\$ 124,868,758.65	
Interest earnings through June 30, 2014	\$ 28,478.40	
Local contributions	<u>\$ 59,517.00</u>	
Total available		\$ 124,956,754.05
Expended through 08/31/14*	\$ 1,488,619.84	
Outstanding purchase orders as of 08/31/14*	<u>\$ 5,866,994.88</u>	
Total expended/committed		<u>\$ 7,355,614.72</u>
Total remaining		<u><u>\$ 117,601,139.33</u></u>

* See detail report for expenditures and purchase orders by project

NOTE: Does not include \$13,000,000+ contract to Motorola

Capital Project Sales Tax #2

Detail Expenditures

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014	O/S Purchase Orders
				Bond Issuance Costs		\$ 500,000.00		\$ 500,791.50	
				I. Public Safety-Fire					
1	Building		Johnsonville Rural Fire District	New Main Station	Highway 41/51	\$ 1,800,000.00		\$ 19,753.52	\$ 121,228.28
2	Building		Johnsonville Rural Fire District	New Kingsburg station		\$ 600,000.00		\$ 7,245.44	\$ 44,824.16
3	Building		Windy Hill Fire District	New Quinby Station		\$ 1,800,000.00			
4	Building		Howe Springs Fire District	New Main Station		\$ 3,700,000.00		\$ 36,541.56	\$ 217,068.84
5	Building		South Lynchess Fire District	Classroom, Logistics, & Maintenance Facility		\$ 1,000,000.00			
6	Building		South Lynchess Fire District	Upgrades to Station One Facilities		\$ 1,000,000.00		\$ (32,285.33)	\$ 1,033,777.00
7	Building		South Lynchess Fire District	Upgrades at Nine Fire Stations		\$ 500,000.00			\$ 499,807.15
8	Building		West Florence Fire District	New Station on Hoffmeyer Road		\$ 1,500,000.00		\$ 151,181.00	
9	Building		West Florence Fire District	Addition to Station One	Pine Needles Road	\$ 1,000,000.00			
10	Building		Hannah Salem Friendfield Fire	New Stations at Friendfield & Flemington		\$ 1,745,000.00		\$ 350.00	\$ 890,885.67
11	Building		Hannah Salem Friendfield Fire	Upgrade Stations One and Two		\$ 1,400,000.00			\$ 890,885.67
12	Building		Hannah Salem Friendfield Fire	Upgrade Stations Three and Four		\$ 900,000.00			\$ 890,885.66
13	Building		Olantra Rural Fire District	Upgrade Main Station		\$ 520,000.00		\$ (2,000.00)	\$ 522,000.00
14	Building		Sardis Timmonsville Fire	Station One addition Living & Training		\$ 150,000.00			
15	Building		Sardis Timmonsville Fire	New Cartersville Station		\$ 750,000.00		\$ (20,165.50)	\$ 338,298.50
16	Building		Sardis Timmonsville Fire	Timmonsville Rescue Squad Building		\$ 80,000.00		\$ 244.49	
				Category Total			\$ 18,445,000.00		
				II. Public Safety - EMS					
17	Building		Florence County	EMS Station Timmonsville		\$ 740,000.00			
18	Building		Florence County	EMS Station Florence	Schiltz Drive	\$ 740,000.00		\$ 27,675.00	\$ 11,625.00
				Category Total			\$ 1,480,000.00		
				III. Emergency Management					
19	Building/Equipment		Florence County	Radio Upgrades - all Emergency Mangement Facilities	Law Enforcement Complex	\$ 15,000,000.00		\$ 11,528.43	\$ 15,677.28
20	Building/Equipment		Florence County	New Emergency Operations Center Building	Law Enforcement Complex	\$ 4,955,251.00		\$ 211.52	
				Category Total			\$ 19,955,251.00		
				IV. Sheriff					
21	Equipment		Florence County	Replacement of Boilers & Water Heaters at County Jail	Law Enforcement Complex	\$ 800,000.00			
22	Equipment		Florence County	Flex Units & Safety upgrades at County Jail	Law Enforcement Complex	\$ 189,600.00			
23	Building		Florence County	New Storage Building	Law Enforcement Complex	\$ 160,000.00			
24	Building		Florence County	New K-9 Training Facility	Law Enforcement Complex	\$ 20,000.00			
25	Building		Florence County	Renovations at Law Enforcement Complex	Law Enforcement Complex	\$ 800,000.00			\$ 243,120.00
				Category Total			\$ 1,969,600.00		
				V. County Administration					
26	Building		Florence County	Renovation of Vacated Space at County Complex	County Complex Building	\$ 5,200,000.00		\$ 88,172.64	\$ 122,161.67
				Category Total			\$ 5,200,000.00		
				VI. Water & Sewer Improvements					
27	Water Line		Town of Coward	Salem Road/McAlister Mill Rd/Sand Hills Water Loop		\$ 750,000.00			
28	Water Line		Town of Coward	Union School Road Tie to Scranton Water System		\$ 240,000.00			
29	Fire Hydrants		City of Florence	Add 50 Fire Hydrants for Windy Hill Fire District		\$ 250,000.00			
30	Fire Hydrants		City of Florence	Add 50 Fire Hydrants for West Florence Fire District		\$ 250,000.00			
31	Fire Hydrants		City of Florence	Add 50 Fire Hydrants for Howe Springs Fire District		\$ 250,000.00			
32	Water Line		City of Lake City	Indiantown Road/S. Cameron Road Water Loop		\$ 690,000.00			
33	Water Line		City of Lake City	Burch Rd/Old Georgetown Rd/Camerontown Rd Water Loop		\$ 593,000.00			
34	Water Line		City of Lake City	Frirson Road/O'Shay Road Water Loop		\$ 250,000.00			
35	Water Line		Town of Olantra	Central Road/Hood St. Water Loop		\$ 440,000.00			
36	Water Line		Town of Olantra	Butler Scurry Road/McKenzie Road Water Loop		\$ 500,000.00			
37	Water Line		Town of Olantra	Olantra Fire Station Water Extension		\$ 65,000.00			
38	Water Line		Town of Scranton	Anderson Bridge Road Water Extension		\$ 140,000.00			
				Category Total			\$ 4,418,000.00		
				VII. Veteran Affairs					
39	Building		Florence County	Veteran Affairs County Administration Building	National Cemetery Road	\$ 1,200,000.00		\$ 51,843.20	\$ 24,750.00
				Category Total			\$ 1,200,000.00		

Detail Expenditures

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014	O/S Purchase Orders
VIII. Municipalities									
Roads									
			City of Florence						
40	Corridor Enhancements		City of Florence	Dargan St.	Lucas St. to Cherokee Rd.				
41	Corridor Enhancements		City of Florence	National Cemetery Road	Dargan St. To McCall Rd.				
42	Corridor Enhancements		City of Florence	Vista St.	Dargan St. to Oakland Ave.				
43	Corridor Enhancements		City of Florence	Sopkin St.	Oakland Ave. to Crown Cir.				
44	Corridor Enhancements		City of Florence	Park Ave.					
45	Corridor Enhancements		City of Florence	Pine St.	Dargan St to McQueen St.				
46	Corridor Enhancements		City of Florence	McQueen St.	Pine St. To Timrod Park Dr.				
47	Corridor Enhancements		City of Florence	Cedar St.	McQueen St. to Park Ave.				
48	Corridor Enhancements		City of Florence	Park Ave.	Cedar St. to Cherokee Rd.				
49	Corridor Enhancements		City of Florence	E Evans St.	N. Ravenel St. to Railroad Ave.				
50	Corridor Enhancements		City of Florence	Irby St.	W. Cheves St. to Ashby Rd.				
51	Corridor Enhancements		City of Florence	Darlington St.	Irby St. to Oakland Ave.				
52	Corridor Enhancements		City of Florence	Oakland Ave.	Darlington St. to Norfolk St.	\$ 9,216,875.00			
53	Intersection Improvements		City of Florence	Damon Dr. and Ansley St.					
54	Intersection Improvements		City of Florence	E Palmetto St. Westbound at S. Church St.		\$ 1,031,250.00			
54	Resurfacing		City of Florence	Malloy St.	Wilson Rd to ???				
55	Resurfacing		City of Florence	Spruce St.	Park Ave. to McQueen St.	\$ 340,625.00			
56	Road Widening		City of Florence	Malloy St.	Maxwell St. to ???				
57	Road Widening		City of Florence	Roughfork St. & Maxwell St.	N. Irby St. to Malloy St.				
58	Road Widening		City of Florence	S. Cashua Dr.	Palmetto St. to Second Loop Rd.				
59	Road Widening		City of Florence	W. Sumter St.	N. Irby St. to N. Alexander St.				
60	Road Widening		City of Florence	W Radio Dr.	S. Ebenezer Rd. to David McLeod Blvd.				
61	Road Widening		City of Florence	Woody Jones Blvd.	W. Radio Rd. to David McLeod Blvd.				
62	Road Widening		City of Florence	Jarrott St.	Pine St. to National Cemetery Rd.				
63	Road Widening		City of Florence	N. Alexander St.	Dixie St. To Darlington St.	\$ 9,125,625.00			
64	Building		Town of Timmonsville	New Community Center		\$ 420,000.00			
65	Building		Town of Timmonsville	Magistrate's Building Renovations		\$ 180,000.00			
66	Sewer		Town of Pamplico	Replace Pembroke Apt Pump Station		\$ 154,400.00		\$ 22,264.16	
67	Water		Town of Pamplico	New Water Tank		\$ 873,280.00		\$ 128,267.94	
68	Water		Town of Pamplico	Shirley Road Water Line		\$ 154,697.00		\$ 6,702.73	
69	Water		Town of Pamplico	Water System Extension		\$ 1,706,720.00		\$ 1,917.50	
70	Water/Sewer		Town of Olanta	Waterworks and Sewer System Improvements		\$ 750,000.00			
71	Building		Town of Olanta	Municipal Building Improvements		\$ 130,000.00			
72	Recreation improvements		City of Johnsonville	Prosser Recreation Complex		\$ 800,000.00			
73	Water		City of Johnsonville	Vox Water Line Project		\$ 4,378,000.00			
74	Water		Town of Coward	New Water Tank		\$ 1,000,000.00			
75	Recreation		Town of Coward	Expansion of Youth Baseball Field		\$ 200,000.00			
76	Building		Town of Quinby	New Town Hall		\$ 380,000.00			
77	Building		Town of Quinby	Recreation/Community Building		\$ 720,000.00			
78	Recreation		Town of Scranton	Improvements to Scranton Nature Park		\$ 126,400.00		\$ 7,559.24	
79	Recreation		Town of Scranton	Resurface Tennis Courts		\$ 32,000.00			
80	Building		Town of Scranton	New Maintenance Building		\$ 349,600.00			
81	Water & Sewer		City of Lake City	Water & Sewer Improvements		\$ 2,360,000.00		\$ 76,174.75	
82	Storm Water		City of Lake City	Storm Water System Improvements		\$ 1,200,000.00		\$ 58,738.53	
83	Water & Sewer		City of Lake City	New Water Tank		\$ 800,000.00			
84	Recreation		City of Lake City	New Multi Purpose Athletic Complex		\$ 400,000.00			
85	Building		City of Lake City	Renovate Lake City Owned Building (Chamber office)		\$ 160,000.00			
86	Road / Parking		City of Lake City	C J Evans Field road & parking improvements		\$ 400,000.00			
			Category Total				\$ 37,369,472.00		

Capital Project Sales Tax #2
Detail Expenditures

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014	O/S Purchase Orders
		IX. Florence County Recreation							
87	Roads/Water		Florence County	Roads & Infrastructure - New Soccer Complex		\$ 1,040,000.00			
88	Recreation Improvements		Florence County	Various Park Improvements to include:		\$ 400,000.00			
89	Recreation Improvements		Florence County	Ebenezer Park Playground Fall Surface Upgrade					
90	Recreation Improvements		Florence County	Lynches River Park Shade Structures					
91	Recreation Improvements		Florence County	Lake City Community Park Road Paving					
92	Recreation Improvements		Florence County	Lynches River Athletic Park Sardis Paving Entrance					
93	Recreation Improvements		Florence County	Friendship Park Renovations					
		Category Total					\$ 1,440,000.00		
		X. Lake City Community Hospital							
94	Building			Improvements to Main Hospital		\$ 888,000.00		\$ 345,907.52	
		Category Total					\$ 888,000.00		
		XI. Lynches Lake-Camp Branch Watershed District							
95	Drainage			Drainage Improvements		\$ 80,000.00			
		Category Total					\$ 80,000.00		
		XII. Road Paving and Drainage							
96	Paving		Florence County	Cato Road		\$ 2,500,000.00			
97	Paving		Florence County	Moulds Road		\$ 1,100,000.00			
98	Paving		Florence County	Country Lane		\$ 1,400,000.00			
99	Paving		Florence County	Cherry Johnson Road		\$ 1,900,000.00			
100	Paving		Florence County	Bali Park Road		\$ 1,500,000.00			
101	Paving		Florence County	McLaurin Road		\$ 600,000.00			
102	Paving		Florence County	Highland Road		\$ 250,000.00			
103	Paving		Florence County	Laurel Circle		\$ 600,000.00			
104	Paving		Florence County	Law Road		\$ 1,100,000.00			
105	Paving		Florence County	Paving &/or relocate Koopers/Estate Road or Young Road					
106	Paving		Florence County	as determined by County Council for economic development		\$ 4,000,000.00			
107	Drainage		Florence County	Brookgreen		\$ 1,000,000.00			
108	Drainage		Florence County	Foxcroft		\$ 300,000.00			
		Category Total					\$ 16,250,000.00		

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014	O/S Purchase Orders
				XIII. General Road Improvements					
109		District 1		Swan Rd.	Park Ave. to last house	\$ 4,033,853.00			
110				Windright Rd.	Hwy 378 to Swann Rd.				
111				Hickson Rd.	S. Powell Rd. to S. Locklair Rd.				
112				Widow St.	W. Camp Branch Rd. to Jordan Rd.				
113				Old McAllister Rd.	Jordan Rd. to Chandler Mill Rd.				
114				Chandler Mill Rd.	N. Matthews Rd. to Old McAllister Rd.				
115				Maxie Thomas Rd.	Morris St. to Moore St.				
116				Maxie Thomas Rd.	Hwy 52 to last house				
117				W. O'Shay Rd.	N. Matthews Rd. to Frierson Rd.				
118				W. O'Shay Rd.	Frierson Rd. to last house				
119				Frierson Rd.	W. Camp Branch Rd. to W. O'Shay Rd.				
120				Zola Rd.	McCutcheon Rd. to Hanna Rd.				
121				Miles Rd.	Hwy 378 to First Oxtown Rd.				
122				Donald Rd.	Caseiman Rd. to Miles Rd.				
123				Rodman Rd.	Cockfield Rd. to Dory Rd.				
124				Rodman Rd.	Dory Rd. to Cow Pasture Rd.				
125				Rodman Rd.	McCutcheon Rd. to last house				
126				Barr St.	Graham Rd. to end of road				
127				Old Farm Rd.	Vox Hwy. to last house				
128				Lance St.	Acline St. to Kelly St.				
129				Thomas St.	S. Church St. to CSX RR				
130				Gracelyn Cir.	N. Matthews Rd. to ???				
131				Calvin St.	Gracelyn Cir. to ???				
132				Tupelo Rd.	Moore St. to end of road				
133				Retha Dr.	Kelly St. to end of road				
134				King St.	Nesmith St. to Charles St.				
135				Major Rd.	Gray Rd. to end of road				
136				Slocum Ln.	Gray Rd. to end of road				
137				Dennis Rd.	Cooktown Rd. to Old South Rd.				
138				Bayne Ln.	Beulah Rd. to E. Plantation Rd.				
139				E. Plantation Rd.	portion of ???				
140				S. Acline St.	Fairview St. to Graham Rd.				
141				Baker Rd.	N. Camerontown Rd. to end of road				
142				Barnwell St.	Bozy Rd. to Lee St.				
143				Blanche St.	Northside Ln. to end of road				
144				Windham Rd.	Owens Dr. to Blanche St.				
145				Hurst St.	School Dr. to end of road				
146				Judy Rd.	Hwy 378 to end of road				
147				N. Pecan Rd.	Hwy 341 to N. Camerontown Rd.				
148				S. Pecan Rd.	Hwy 341 to end of road				
149				S. Locklair Rd.	Hwy 341 to Hickson Rd.				
150				Sunburst Dr.	Cooktown Rd. to end of road				
151				Thirty Rd.	Thirty Five Rd. to end of road				
152				Thirty Five Rd.	Green Haven Ave. to Davis St.				
153				Tranquility Rd.	Cockfield Rd. to Tyler Rd.				
154				W. Cole Rd.	Davis St. to Maxie Thomas Rd.				
155				Lake City Landfill/Manned Convenience Center Rd.	Hwy 341 to end of road				
156				L/C Manned Conv. Service Area on Lake City Landfill Rd.					
157				Sequoia Rd.					
158				Camelot Way	N. Country Club Rd. to Scotland Rd.				
159				Dogwood Ln.	S. Morris St. to Middlecoff Rd.				
160				Lancelot Way	Scotland Rd. to end of road				
161				Lockewood Rd.	Middlecoff Rd. to Dogwood Ln.				
162				McFaddin St.	Wallace St. to Ida St.				
163				Salter St.	Wallace St. to Ida St.				
164				Byrd St.	School Dr. to end of road				
165				Fountain St.	School Dr. to end of road				
166				Hurst St.	Hwy 52 to End of road				
167				Mill St.	N. Church St. to Ball Parkd Rd.				
168				N. Church St. (Scranton)	Mill St. to Railroad Ave.				
169				School Dr.	Byrd St. to end of road				
170				Parking and Roads at Lake City Sports Complex	S. Blanding St. to Graham Rd.				

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014	O/S Purchase Orders
171		District 2		Bluff Rd					
172				Evans Rd					
173				Belle Thompson Rd					
174				Ervin Thomas Rd					
175				Franks Rd					
176				Law Rd					
177				Bail Park Rd					
178				Old Springs Rd					
179				Freepoint Rd					
180				Singlariy Loop Rd					
181				Saddle Town Rd					
182				Mustang Rd					
183				Capitola Rd					
184				Dud Rd					
185				Lewis Ln					
186				Broken Branch Rd					
187				Wood Berry Rd					
188				Keith Rd					
189				Chestnut Rd					
190				Ashley Rd					
191				Glen Haven Rd					
192				Dulle Ln					
193		District 3		Athens St					
194				Brunson St					
195				Dargan St	Hwy 52 to Vista St				
196				Timmons St					
197				Bradford St					
198				Wilson St					
199				Liberty St					
200				Boyd St					
201				Commander St					
202				Vista St					
203				Light St					
204				Slackley St					
205				Hemingway St					
206				Marboro St					
207				E. Marion St					
208				Freemant St					
209				Dixie St					
210				Ingram St					
211				Alexander St					
212				Harmony St					
213				Harrell St					
214				Lawson St					
215				Sanborn St					
216				N. McQueen St					
217				W. Marion St					
218				Pennsylvania St					
219				Carver St					
220				Gladstone St					
221				Fairfield Cir					
222				Waverly St					
223				Sidewalks on Irby St	Wilson Road to Sam Harrell Rd				
224				Sidewalks on Dargan St	Hwy 52 to Vista St				
225				Sidewalks on Roughfork St					
226				Sidewalks on Sopkin Ave					
227				Widen Entrance road to County Complex & bury power lines					
228				W Louise Rd					
						\$ 4,033,853.00			

Project # Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014			
229	District 4		Van Hooken Dr.		\$ 4,033,853.00					
230			Alma Ln.							
231			Willow Point Rd							
232			Pygate Rd							
233			Fork Rd.							
234			Meadow Prong 2							
235			Meadow Prong 1							
236			Clyde McGee Rd.							
237			Golden Gate Rd.							
238			Ed James Rd							
239			Javelin Cir.							
240			Johnson Rd							
241			Joe Nathan Ln.							
242			Buckshot Rd							
243			Sims Rd.							
244			Cubie Rd. 1							
245			Cubie Rd. 2							
246			Jenkins Nowlin Rd							
247			Alvin Kirby Rd							
248			Truck Route			Foxworth St. to Brockington St.				
249		District 5		Horace Matthews Rd			\$ 4,033,853.00			
250				Cameff Dr.						
251				S. Canal Dr.						
252				Circle Dr.						
253			Mango Ln.							
254			Milestone Rd							
255			C W Robinson Rd							
256			Trails End Rd.							
257			Dunlap Rd.							
258			Sam Lee Rd.							
259			S. Railroad Ave							
260			Java Rd							
261			Round Tree Rd							
262			E. Eagerton Rd							
263			Doric Rd.							
264			Ben Gause Rd							
265			Silver Leaf Rd.							
266			Railroad Ave. (Scranton)							

Capital Project Sales Tax #2
Detail Expenditures

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014	O/S Purchase Orders
267		District 6		Charlie Cade Rd					
268				Coleman Rd.		\$ 4,033,853.00			
269				Spring Branch Rd					
270				Willow Grove Rd					
271				Haven Rd					
272				Magie Dr					
273				Danietown Rd					
274				Pepper Tree Rd.					
275				Antique Cir					
276				Diamond Head Loop Rd					
277				Pecan Grove Rd					
278				Hosaa Gibbs Rd					
279				Tabernade Rd					
280				Boiling Rd					
281				Carl Rd.					
282				W. Turner Gate Rd.					
283				Brick House Rd					
284				Eureka Rd.					
285				Quail Harbor Cir.					
286				Taylor Hill Cir					
287				James Town Rd					
288				Fleetwood Dr					
289				Ard St.					
290				Wickenwood Rd					
291				Large Farm Rd					
292				Camp Wiggins Rd					
293				Horse Shoe Rd					
294				Benton Rd.					
295				Freeman Ln					
296				Nita Cain Rd.					
297				South Wind Rd					
298				Gum Rd					
299		District 7		Hughes Cir (off TV Rd)		\$ 4,033,853.00			
300				Joan Rd (off TV Rd)					
301				John C. Caloun Rd					
302				Wilson Rd.					
303				Pocket Rd.					
304				W. Black Creek Rd					
305				R. McIyer Rd					
306				R. Bar M. Ranch Rd					
307				Tara Dr.					
308				Raiford Ln.					
309				Catvert's Ct					
310				Shamrock Rd					
311				Clayton Ct					

Capital Project Sales Tax #2

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of	O/S Purchase Orders
312	Resurface	District 8		Maulden Dr.		\$ 4,033,853.00		8/31/2014	
313	Resurface			Crownland Estates					
314	Resurface			E. and W. Sandhurst Dr.					
315	Resurface			Stratford Cir.					
316	Resurface			Castleberry Dr.					
317	Resurface			Westmoreland Ave.					
318	Resurface			Devonshire Dr.					
319	Resurface			Longwood Dr.					
320	Resurface			Woods Dr.					
321	Resurface			Rosedale St.					
322	Resurface			St. Anthony Dr.					
323	Resurface			Jones Rd.					
324	Resurface			Winthrop Dr.					
325	Resurface			Progress St.					
326	Resurface			Lee St.					
327	Resurface			Satuda Ave.					
328	Resurface			Sewanee Ave.					
329	Resurface			Chestnut St.					
330	Resurface			Katima St.					
331	Resurface			Sesame St.					
332	Resurface			Cedar St.	Franklin to Adams Ave. Park to Lawson				
333	Resurface			Waters Ave.					
334	Resurface			Sylvan Dr.					
335	Resurface			Cedar Lawn Court					
336	Resurface			Lakeside Drive					
337	Resurface			Richtburg Ln.					
338	Resurface			Jeffries Ln.					
339	Resurface			Hondros Cir.					
340	Resurface			Constantine Dr.					
341	Resurface			Rollins Ave.					
342	Resurface			Fitz Randolph Cir.					
343	Resurface			Shore Ln.					
344	Resurface			Manon Ave.					
345	Resurface			Virginia Acres					
346	Resurface			Poinsette Ave.					
347	Resurface			Melrose Ave.					
348	Resurface			Courtland Ave.					
349	Resurface			Hillside Dr.					
350	Resurface			Wisteria Dr.					
351	Resurface			Margaret Dr.					
352	Resurface			Dunvagan Rd.					
353	Resurface			Rosemeath Rd.					
354	Resurface			Beverly Dr.					
355	Resurface			Alton Cir.					
356	Resurface			Lindberg Dr.					
357	Resurface			Woodstone Dr.					
358	Resurface			DeBerry Blvd.					
359	Resurface			Dorchester Rd.					
360	Resurface			Fairfax Rd.					
361	Resurface			Cherry Blossom Ln.					
362	Resurface			Valpariso Dr.					
363	Resurface			Wayne St.					
364	Resurface			Sweetbriar St.					
365	Resurface			Furman Dr.					
366	Resurface			Converse Dr.	Third Loop north to ???				
367	Resurface			Gable Ridge Dr.					
368	Resurface			Durant Dr.					
369	Resurface			Joseph Circle					
370	Resurface			Westminister Dr.					
371	Resurface			Langlely Dr.					
372	Resurface			Mayfair Terrace					

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014	O/S Purchase Orders
373		District 9		Hampton Pointe Subdivision		\$ 4,033,853.00			
374				Aberdeen Ct.					
375				Blair Ct.					
376				Bridgeport Ct.					
377				Danvers Ct.					
378				New Gate Ct.					
379				Parliament Cir.					
380				S. Addison St.					
381				S. Barrington Dr.					
382				S. Brunswick Ct.					
383				S. Harrington Ct.					
384				Victoria Ct.					
385				W. Hampton Pointe Dr.					
				Winslow Ct.					
				Whitehall Annex Subdivision					
386				Albamarie Blvd					
387				Banbury Cir.					
388				Bedford Ln.					
389				Milford Ln.					
390				South Arundel Dr.					
391				St. James Ln.					
				Village Green and Waterford Subdivisions					
392				Greenview Dr.					
393				Key Largo Ct.					
394				Waterford Dr.					
				Springdale and Villa Arno Subdivisions					
395				Guilford Cir.					
396				Perris St.					
397				Springfield St.					
398				Suffolk Place					
399				Sirada Amore					
400				Sirada Glama					
401				Sirada Mateo					
402				Via Poncello					
				Oak Forrest Subdivision					
403				Alabama Ln.					
404				Arizona Way					
405				California Rd.					
406				Florida Dr.					
407				Georgia Ct.					
408				Louisiana Ln.					
409				Oak Forest Blvd.					
410				Tennessee Terrace					
411				Tex Rd.					
412				Utah Ct.					
				Kelly Farms and Parkland Subdivisions					
413				Derby Dr.					
414				Kelly Farms Rd.					
415				Preakness Ln.					
416				W. Belmont Cir.					
417				Cottonwood Dr.					
418				Deerwood Place					
419				Heathway Dr.					
420				Mosswood Dr.					
421				W. Delmae Dr.					
422				Wethersfield Dr.					
				Heritage Subdivision					
423				Cow Pens Cir.					
424				Declaration Dr.					
425				Farm Quarter Rd.					
426				Independence Ave.					
427				Indigo Place					

Capital Project Sales Tax #2

Detail Expenditures

Project #	Type	District	Entity	Project Description	Location	Approved Funds	Division Totals	Expended as of 8/31/2014	O/S Purchase Orders
428				Forest Lake And Forest Lake West Subdivisions					
429				Brock Cir					
430				Ginny Ct					
431				Julie Ln					
432				Golf Ct					
433				Lynn Dr					
434				Madden Ln					
435				Sliger Cove					
436				Yeargin Cove					
437				Young Charles Dr					
438				Wanda Cove					
439				Claude Douglas Cir					
440				Hepburn Blvd					
441				Dunwoody Subdivision					
442				Ashwood Ln					
443				Aspen St					
444				Dunwoody Rd					
445				Evergreen Rd					
446				Penwinkle Ln					
447				Farmwood and Ferndale Subdivisions					
448				Farmwood Dr					
449				Heather Dr					
450				Patrick Dr					
451				Boone Cir					
452				Corbett Place					
453				Charters Subdivision					
454				Bristol St					
455				Charters Dr					
456				Claymount Ct					
457				Cravenhurst Ct					
458				Dominion Ct					
459				Fairhaven Rd					
460				Magna Carta Rd					
461				Arrowood Subdivision					
462				Arrowood Cir					
463				Falcon Way					
464				Skyark Dr					
465				Gadwick Place					
466				Britanna St					
467				Chadwick Dr					
468				Knights Bridge Rd					
469				Lamprey Way					
470				Wetherby Ln					
471				Stratton Dr					
472				Pelican Ln					
473				W Eagle St					
474				Thunderbird Dr					
				Whitehall Cir					
				S Peninsula Rd					
				McLannin Dr					
				Traffic Signals					
				Traffic Signals					
				Category Total					
				Grand Total of all projects					

\$ 36,304,677.00

\$145,000,000.00 \$1,488,619.84 \$5,866,994.88

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Reports to Council

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Approve The Purchase Of Property Located At 221 West Sumter Street, Florence, Tax Map Number 00122-01-035, In The Amount Of \$36,000 Plus Closing Costs, For The Construction Of An EMS Substation And Authorize The County Administrator To Execute The Appropriate Documents Pending County Attorney Review.

POINTS TO CONSIDER:

1. Included in the Capital Project Sales Tax II is funding for an EMS station in Florence.
2. This site is strategically located to be able to serve northern Florence as well as the I-95/52 interchange.
3. This parcel is currently owned by the Estate of Wallace Johnson and is being offered for the price of \$36,000, plus closing costs.
4. The parcel contains approximately 3.5 acres, which is more than sufficient to construct the EMS substation.

FUNDING FACTORS:

1. Sales price of \$36,000, plus closing costs will be funded from the Capital Project Sales Tax II allocation for the EMS station in Florence, totaling \$740,000.

OPTIONS:

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

ATTACHMENT:

1. Copy of Option To Purchase

COPY

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

OPTION TO PURCHASE

FILED
2014 OCT -3 PM 3:16
DONNIE REEL-SHEARIN
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, SC

This contract made and entered into between the Estate of Wallace Johnson, by its Personal Representative and Sharon L. Johnson, parties of the first part, and County of Florence, a body politic, party of the second part.

WITNESSETH

That the parties of the first part hereby agrees to and with the party of the second part that he will sell and covey by General Warranty Deed, free from any and all liens of every kind and description, for and in consideration the sum of Thirty-six Thousand Dollars and 00/100 (\$36,000.00) of which the sum of Five Hundred Dollars and 00/100 (\$500.00) having been paid upon the signing of this Option and the receipt thereof is hereby acknowledged upon the terms and conditions hereafter set forth the following described real property:

All that certain piece, parcel or lot of land designated as Florence County Tax Assessor's map as 00122-01-035 located at 221 W. Sumter St., Florence, SC.

The object and intention of said parties of the first part is to give unto said party of the second part the right and option to purchase the above-described property at the price agreed upon by the parties from the 31st day of July, 2014 through and including the 31st day of October, 2014, so that during said period, the parties of the first part shall not dispose of said property by himself or by any other person or agency without the consent of the party of the second part.

It is further agreed between the parties that the party of the second part may exercise an additional 90 day option for the consideration of Five Hundred Dollars and 00/100 (\$500.00) from October 31st, 2014 through January 31st, 2015.

It is hereby further agreed by ad between the parties that upon the delivery of the consideration of Thirty-six Thousand Dollars and 00/100 (\$36,000.00) by the party of the second

CERTIFIED: A TRUE COPY

[Handwritten Signature]

CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

part for the purchase of the hereinabove described real property, the party of the second part shall be given credit for the option amounts paid by it to the parties of the first part.

It is further agreed between the parties that if the party of the second part fails to exercise either of its options then it shall forfeit to the parties of the first part the sums paid for said option or options.

It is further agreed between the parties that upon the exercise of this option by the party of the second part, the parties of the first part shall convey and deliver marketable title by a properly executed general warranty deed free of all encumbrances.

It is further agreed between the parties that the parties of the first part shall be allowed to receive and keep any rents due for the use of the hereinabove described real property up to and through the date this option is exercised by the party of the second part and all rents shall be the property of and received by the parties of the first part.

The party of the second part has no right to the use or the control o the hereinabove described real property until this Option is exercised.

This agreement shall be binding on us, our successors and assigns. We have hereunto set our hands and seal this 29th day of Sept., 2014.

WITNESSES:

Lesley E. Kuffel
Wendy Miller

Lesley E. Kuffel
Wendy Miller

ESTATE OF WALLACE JOHNSON
BY ITS PERSONAL REPRESENTATIVE

[Signature]
PARTY OF THE FIRST PART

Sharon L. Johnson
SHARON L. JOHNSON,
PARTY OF THE FIRST PART

[Signature]
Jeffrey D. Muen

COUNTY OF FLORENCE
BY ITS ADMINISTRATOR
[Signature]
PARTY OF THE SECOND PART

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY appeared before me the, undersigned, who on oath states the (s)he saw the within named County of Florence, by its Administrator sign, seal and as his/her/its act and deed deliver the within Agreement Concerning the Lease and that (s)he with the other witness subscribed above witnessed the execution thereof.

Jeffrey D. Muen

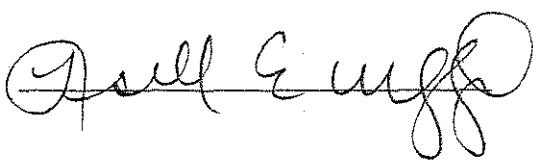
SWORN to before me this
29th day of SEP, 2014

[Signature]
Notary Public for South Carolina
My Commission Expires: 2-17-2015


STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY appeared before me the, undersigned, who on oath states the (s)he saw the within named, Estate of Wallace Johnson, by its Personal Representative sign, seal and as his/her/its act and deed deliver the within Agreement Concerning the Lease and that (s)he with the other witness subscribed above witnessed the execution thereof.



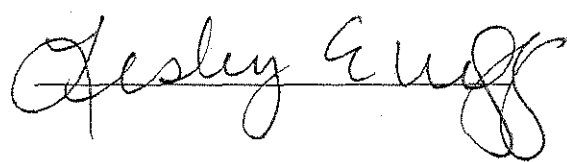
SWORN to before me this
31 day of July, 2014


Notary Public for South Carolina
My Commission Expires: 06/25/2022


STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE

PERSONALLY appeared before me the, undersigned, who on oath states the (s)he saw the within named, Sharon L. Johnson sign, seal and as his/her/its act and deed deliver the within Agreement Concerning the Lease and that (s)he with the other witness subscribed above witnessed the execution thereof.



SWORN to before me this
1 day of Aug, 2014


Notary Public for South Carolina
My Commission Expires: 06/25/2022

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Report to Council
Declaration of Surplus Property

DEPARTMENT: Emergency Management Department
Procurement Department

ISSUE UNDER CONSIDERATION:

Declare The Analog Radio System Radios, Components And Parts As Surplus Property As It Is Replaced and Authorize Disposal By the Means Most Advantageous To The County.

POINTS TO CONSIDER:

1. The analog radio system is being replaced as part of the Capital Project Sales Tax II and the radios, components and parts need to be declared surplus and disposed of.
2. Disposal will not impact on-going operations.
3. Florence County Code requires County Council approval for disposal of surplus property.

OPTIONS:

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

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Report to Council
Declaration of Surplus Property

DEPARTMENT: Information Technology Department
Procurement Department

ISSUE UNDER CONSIDERATION:

Declare Various Computer Equipment As Surplus Property and Authorize Disposal By the Means Most Advantageous To The County.

POINTS TO CONSIDER:

1. The attached listing of computer equipment has been declared surplus by the using department.
2. Disposal will not impact on-going operations.
3. Florence County Code requires County Council approval for disposal of surplus property.

OPTIONS:

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

ATTACHMENTS:

Florence County IT Surplus Property List.

IT SCRAP LIST

COMPUTERS:

		DEPT	SN
14148	Dell D510 laptop-Voter Reg	Voter Reg	dxl1281
13015	Black tangent-Flo Magistrate	Flo Magistrate	t4410074
14275	Dell Optiplex 745-Tax	Tax	36x95d1
14276	Dell Optiplex 745-Tax	Tax	d8x95d1
14273	Dell Optiplex 745 -Tax Assessor	Tax	47x95d1
10203	CPU-Jail	Jail	Unknown
10921	Tangent-Jail	Jail	T4550387
None	Dictaphone Compaq-Jail	Jail	6011CKT3B861
13458	Tangent 2465LP-Jail	Jail	T4910020
12064	Blk Tangent 2465 LP-Jail	Jail	T4710386
10718	White Tangent-Jail	Jail	T3751393
11944	Dell Optiplex 755-Jail	Jail	DTTX1F1
14408	HP dc5800-Tax Assessor 7th	Tax	mxl82103j5
13034	Tangent-Coroner	Coroner	t4410079
13449	Tangent-Facilities	Facilities	t4910017
10865	Tangent-Probate	Probate	t4410064
7956	Toshiba 4600 laptop-Tax Assessor	Tax	x1065439pu
9156	Toshiba 18005207 laptop-Tax Assessor	Tax	12049865p
9159	Toshiba 18005207 laptop-Tax Assessor	Tax	12049863p
notag	Dell Latitude CPT laptop-Tax Assessor	Tax	77m9i
notag	Tangent-VA Vimms	VA	t1201405
11159	Tangent-COC	COC	p4b10197c
11155	Tangent-COC	COC	p4b10206c
11170	Tangent-Family Court	Family Court	p4b10177c
10870	Tangent-COC	COC	t4410045
13552	Tangent-COC	COC	p4b10162c
10491	Tangent-Family Court	Family Court	t3950174
11270	Tangent-COC	COC	c4b50045
notag	Shuttle XPC-IT	IT	5559g10-a3gh00-24
12520	Optiplex GX270-Voter Reg	Voter Reg	hbctg51
14310	Optiplex 745-IT	IT	hp8hyd1
13030	Black Tangent-Purchasing	Purchasing	t4410065
14301	Optiplex 745-Recreation	Recreation	525nyd1
14012	Optiplex GX520-Admin	Admin	114zh91
14273	Optiplex 745-Tax Assessor	Tax	47x95d9
14062	Optiplex GX520-EMS	EMS	96m0s91
13467	Tangent - Voter Reg	Voter Reg	t4910019
13018	Tangent - Flo Magistrate	Flo Magistrate	t4410061
13011	Tangent - Planning	Planning	t4410055
13535	Tangent - Planning	Planning	p5150564c
13712	Dell Precision 670 - Planning	Planning	9ytmp81
13010	Tangent - Del Tax	Del Tax	t4410049
13553	Tangent - Finance	Finance	p4b10155c

13540	Tangent - EMS	EMS	t4710392
no tag	Dell Optiplex gx620 - Auditor	Auditor	4zpkv21
9163	Toshiba 1800-s207 - Coroner	Coroner	
12036	Black Tangent-Parks/Rec	Parks/Rec	t4710384
13452	Black Tangent-LC Mag	LC Magistrate	t4910005
14139	Dell GX520-Del Tax	Del Tax	3q5k3b1
14067	Dell GX520-EMS	EMS	f5m0s91
7954	Toshiba Satellite Pro 4600 laptop-EMS	EMS	y1017906pv
9011	Toshiba Satellite Pro 4600 laptop-EMS	EMS	51212535pu
notag	Dell Latitude GPX-EMS	EMS	1b4t201
12462	Black Tangent-IT	IT	p4b10178c
11166	Black Tangent-VA	VA	p4b10170c
14057	Dell GX520-EMS	EMS	b6m0s91
14195	Dell GX520-HR	HR	2v1xyb1
notag	Dell Optiplex 170L-HR	HR	2c83l91
14066	Dell GX520-EMS	EMS	36m0s91
14018	Dell GX520-Treas	Treasurer	dg7bm91
11350	Dell Optiplex 170L-HR	HR	gc83l91
14312	Dell Optiplex 755-IT	IT	gstx1f1
14266	Dell Optiplex 745-Tax Assessor	Tax	68x95d1
13456	Black Tangent-Flo Mag	Flo Magistrate	t4910015
13564	Black Tangent-Auditor	Auditor	p4b10166c
no tag	HP550 laptop		cnu9121z00
14309	Dell Precision M90 laptop-IT	IT	cg125c1
14426	Dell Precision M6300 laptop-Finance	Finance	g8l6fh1
14762	HP4510s laptop-Env Services	Env Services	cnu0054l43
14213	Dell Optiplex 745-Del Tax	Del Tax	6v0vhc1
1434	No Name laptop-Voter Reg	Voter Reg	nesd625004267
7613	Toshiba P5210u laptop-Admin	Admin	z9320448u
8414	Toshiba 4600 laptop-Admin	Admin	71216920pu
14024	Dell Optiplex GX620-IT	IT	6wd8p91
14213	Dell Optiplex 745-Del Tax	Del Tax	6v0whc1
13466	Black Tangent-Probate	Probate	t4910007
14256	Dell Optiplex 745	Public Defender	d8f01d1
14255	Dell Optiplex 745	Public Defender	63f20d1
14420	HP dc5800	Public Defender	2ua8320z7b
10086	Tangent	Public Defender	t3c50846
14259	Dell Optiplex 745	Public Defender	f2fz0d1
14257	Dell Optiplex 745	Public Defender	g2fz0d1
14263	Dell Optiplex 745	Public Defender	93fz0d1
14260	Dell Optiplex 745	Public Defender	62fz0d1
14422	HP dc5800	Public Defender	2ua8320z75
14421	HP dc5800	Public Defender	2ua8320z6j
14261	Dell Optiplex 745	Public Defender	23fz0d1
14262	Dell Optiplex 745	Public Defender	h2fz0d1
14258	Dell Optiplex 745	Public Defender	d2fz0d1
14352	Dell Optiplex 755	Admin	7vckgf1

10631	Tangent	IT	t4350038
14251	Dell Optiplex 745	Auditor	4h17wc1
14206	Dell Optiplex 745	Auditor	4xjhcc1
14252	Dell Optiplex 745	Auditor	4g17wc1
14249	Dell Optiplex 745	Auditor	7h17wc1
14250	Dell Optiplex 745	Auditor	fg17wc1
14205	Dell Optiplex 745	Auditor	jxjhcc1
14207	Dell Optiplex 745	Auditor	gxjhcc1
14204	Dell Optiplex 745	Auditor	5xjhcc1
13545	Tangent	Auditor	p4b10164c
14191	Dell Optiplex GX620	Purchasing	8733yb1
13557	Tangent	Finance	p410150c
13571	Tangent	Finance	p511033cc
11535	Dell GX520	Finance	B0vvz71
10876	Tangent	Coroner	t4410080
13017	Tangent	EMS Billing	t4410069
11194	Tangent	Coroner	p4b10173c
13024	Tangent	LC Tax	t4410048
14138	Dell Optiplex GX520	LC Treasurer	1h3q3b1
14221	Dell Optiplex745	LC Auditor	1xjhcc1
14253	Dell Optiplex 745	LC Auditor	1h17wc1
14140	Dell Optiplex GX520	LC Treasurer	9q5k3b1
14060	Dell Optiplex GX520	EMS	47m0s91
14278	Dell Optiplex GX520	LC Tax	d6x95d1
14065	Dell Optiplex GX520	EMS	b5m0591
14055	Dell Optiplex GX520	EMS	26m0s91
14220	Dell Optiplex GX520	LC Auditor	8xjhcc1
14061	Dell Optiplex GX520	EMS	57m0s91
14208	Dell Optiplex 745	LC Auditor	cxjhcc1
notag	notebook		nesd625004267
notag	Toshiba laptop 2100cdt		2932044bu
notag	Toshiba Laptop Pro 4600		71216920pu
14274	Dell Optiplex 745	Tax	g9x95d1
14719	HP dc5800	Tax	mxl9210xv6
14479	Dell Optiplex 760	Tax	3d5dlg1
14269	Dell Optiplex 745	Tax	29x95d1
14268	Dell Optiplex 745	Tax	c7x95d1
14431	HP dc5800	Tax	mxl835df6p
14407	HP dc5800	Tax	mxl8190vjg
14219	Dell Optiplex 745	Probate	jwjhcc1
14438	HP dc5800	Voter Reg	2ua82213zg
14209	Dell Optiplex 745	Probate	hwjhcc1
12463	Tangent	Probate	p4b10176c
12461	Tangent	Probate	p4b10168c
13013	Tangent	EMS Billing	t4410068
13020	Tangent	EMS Billing	t4410040
10872	Tangent	IT	t4410071

14265	Dell Optiplex 745	Tax	4bx95d1
13014	Tangent	EMS Billing	t4410083
14238	Dell Optiplex 745	Parks/Rec	5nq23d1
13714	Tangent	IT	t4710383
13023	Tangent	Planning	t4410056
13562	Tangent	Parks/Rec	p4b10160c
notag	HP Presario sr1320nx		cnh45019h4
13022	Tangent	IT	t4410077
11157	Tangent	Public Works	p4b10205c
10980	Tangent	PA Mag	t4410075
11144	Tangent	Public Works	p4b1c196c
13009	Tangent	Ti Mag	t4410052

MONITORS:	DESCRIPTION	DEPT	SN
14394	Viewsonic vx94-Parks/Rec	Parks/Rec	ps3060310822
13237	Tangent-VA	VA	e034900365111203
notag	Dell		cn-ouh5724663366c605s
no tag	Dell 1707-LC Auditor	LC Auditor	cnd0cc280716186bccg3a
13242	Tangent Monitor-VA	VA	c034900658
13232	Tangent Monitor-VA	VA	c034900384
13253	Tangent Monitor-Treas	Treasurer	c034900410
13530	Planar PL1700M-Treas	Treasurer	ah403c00437
10385	ViewSonic Monitor VE175-Jail	Jail	A1a032200873
13236	Tangent Monitor-Parks	Parks/Rec	c034900309111203
10763	Proview PL966b-COC	COC	e9dz3705370u
notag	Acer V173		91105571840
notag	Optiquest Q7		q4a070241038
notag	Acer V173-Tax Assessor	Tax	91105573440
notag	Acer V173-Tax Assessor	Tax	91105576340
11533	Dell 1704		cn-0y4299-71618-56m-ah8n
12010	CTX monitor-LC Auditor	LC Auditor	5141801994
12003	CTX monitor-Public Defender	Public Defender	5141801959
notag	Acer V173-Tax Assessor	Tax	83301231040
notag	Acer V173-Tax Assessor	Tax	83301262140
notag	Acer V173-Tax Assessor	Tax	91105576540
notag	Viewsonic VA903mb-Flo Magistrate	Flo Magistrate	r0h081041108
notag	Dell E176-EMS	EMS	cn-0t9998-46633-54n-j99u
14025	Dell 1905 FRP - Treasurer	Treasurer	cn07611671618618bfnl
10393	Sony SDMS71R - Treasurer	Treasurer	9008066
13195	Tangent Monitor - Planning	Planning	c034900232
no tag	Dell Monitor - Planning	Planning	cn0cc352-6418062j1gpl
12547	Planar PE191M-BK - Admin	Admin	m1094he4124823
12002	CTX Monitor - Finance	Finance	05i41801975
no tag	Dell Monitor - Del Tax	Del Tax	cn-0cc280-71618611AL7g
no tag	Sharp LL-T17a3-b - EMS Billing	EMS Billing	3g100814

no tag	Viewsonic va702b - Probate	Probate	p5x054405746
no tag	Dell - Coroner	Coroner	cn-01k52s-47803-31f
13327	Tangent		c084900436
notag	Phillips 220bw9-Del Tax	Del Tax	dl4a0908136926
notag	Phillips 190s9fb-Admin	Admin	au6a0939001407
13541	Proview PL966b-IT	IT	e9dz23705938u
13209	Tangent-Probate	Probate	c084900462
10324	Viewsonic VE175-Probate	Probate	a1a031000889
no tag	Dell monitor		cn-0cc280-71618-6bc-chk7
notag	Dell	Auditor	cn-0cc280-718-6bccf85
13193	Tangent Monitor		c03490045211123
notag	Acer	Tax	91105570941
notag	Dell	Tax	cn0g422h72872
no tag	Acer v173		81312234642
notag	Acer V173		83301233440
13321	Tangent		c034900341
notag	Dell		cn0uh5724663366c66w5s
notag	Dell		cn0cc280716186bccg3r
notag	Unknown a170e1		7ac120842a30107
11058	Dell		cn0y42997161858gcgey
13194	Tangent		c034900391
10313	Viewsonic VE175		a1a031000907
notag	CVD		h5ng32600184
notag	HP		cnchp0q902
8244	Proview		e9dz3705351u
13470	Planar		c6c424000908
notag	Datawork Plus		no serial #
10530	Intuos Graphics Tablet		3ej000927
notag	Dell		cn01k5254780331flank
notag	MTI Inc		121-0207
notag	MTI Inc		121-0203
notag	MTI Inc		121-0214
notag	Acer		91105570940
2239	IBM CRT		88cu149
3530	IBM CRT		88fc628
notag	IBM CRT		353888
notag	CTX		1u824600280
notag	Philips 170s		bz000610512523
11238	Nu		l711v04422010197
notag	Viewsonic VG900		a1x032630431
notag	Acer V173	Tax	91105574440
13199	Tangent		c034900434
notag	NEC Multi Sync		08326729ta
notag	Acer V173		91105511840
notag	Acer V173	PW	81312269942
notag	Acer V173	Parks/Rec	81301376641
notag	Philips 170s		bz000610512527

11612	Dell		cn0t019984663359n59cu
10697	Viewsonic VP171b	Planning	a1u040800845
notag	Viewsonic VG1930wm		qc4065005929
notag	Viewsonic VG 730m	Planning	qbw083540089
13228	Tangent		c034900787
13225	Tangent		c034900356
notag	Acer V173		9105576540
13222	Tangent	Planning	c034900398
13233	Tangent	Planning	c034900383
notag	Acer	Tax	91105572740
notag	Sharp LC121m2u		908411735

PRINTERS:

DESCRIPTION

DEPT

SN

notag	Xerox Phaser 3250-Treasurer	Treasurer	mxv088988
notag	HP2300n-Flo Magistrate	Flo Magistrate	cnbgh25575
14469	Xerox Phaser 6125-Parks/Rec	Parks/Rec	lan000619e
10089	HP Laserjet 2200dn-Finance	Finance	cngsg02647
8659	Deskjet 842c-Treasurer	Treasurer	mx0be1z22n
notag	HP 6122-Treasurer	Treasurer	my29c210nx
notag	Ibm 4312-Tax Lake City	LC Tax	01-71518
9174	HP Deskjet 990cxi-Tax	Tax	my1cp1c00f
9105	HP Deskjet 990cxi-Tax	Tax	mxl1451z02x
10659	HP Color Laser Jet 2600N-Jail	Jail	CNHC717153
15025	HP Color Laser Jet 2600N-Jail	Jail	CNGC6800H8
9384	HP Laserjet 4100n-Admin	Admin	USLNKD4539
8283	HP Laserjet 4050tn-Treasurer	Treasurer	uscc079890
14133	HP Deskjet 460-Parks	Parks/Rec	my61e2y07j
10413	HP Deskjet 6122-VA	VA	my2ag293qh
15079	HP Laserjet 5200-Flo Magistrate	Flo Magistrate	cndxc09739
14434	Xerox Phaser 3500-Tax Assessor	Tax	wph103621
15070	HP Laserjet 4250n - EMS Billing	EMS Billing	cnrxc97490
notag	Phaser 3250-Del Tax	Del Tax	mxv088990
notag	Phaser 3250-Treas	Treasurer	mxv089014
14117	Dell 3100cn-Admin	Admin	ggxzq71
14116	Dell 3100cn-IT	IT	hdxzq71
14418	Lexmark 2590-Auditor	Auditor	9j-09673
no tag	Lexmark 2590-Bldg Comm	Bldg Comm	9j-01771
11079	Dell 5200n-Ti Magistrate	Timmons ville Magistrate	3hs3h21
notag	HP Officejet Pro 8500	Econ Dev	cn05k7r058
notag	Xerox Phaser 3250	Treasurer	mxv105500
notag	HP Officejet Pro 7680	Fac Management	
notag	HP laserjet 1320n	Probate	cnhc5dg341
notag	HP Officejet 6000	Parks/Rec	my9ck2j0zw
14010	HP laserjet 1320n	Auditor	cnfd56w0q8
notag	Brother HL5450dn	Probate	u63079e3n382862

MISC	DESCRIPTION	DEPT	SN
None	Cisco Switch 3550 -Jail	Jail	CAT 0808Y1T9
11887	ShadowTracker ST-869		p-117840
11888	ShadowTracker ST-869		p-117843
11889	ShadowTracker ST-869		p-117842
11890	ShadowTracker ST-869		p-117839
11891	ShadowTracker ST-869		p-117837
11892	ShadowTracker ST-869		p-117841
11893	ShadowTracker ST-869		p-117836
11894	ShadowTracker ST-869		p-117844
11895	ShadowTracker ST-869		p-117792
11896	ShadowTracker ST-869		p-117791
15451	Barracuda 610		bar-yf-178701
no tag	Canon L170 Fax		JLR52447
notag	Brother Intellifax 1270		m17923049
14173	Dlink		b2bq15c000258
14174	Dlink		b2bq15c000277
14327	Dell Switch		cn0uj3712829873500g4
14326	Dell Switch		cn0uj371282987350070
14171	Dlink		b2bq15c000260
14402	BOS		00e0724a9d
14403	BOS		00e0724a95
notag	Mustek Scanner	Parks	aj5184166
notag	Epson Projector emp61		f3hg582043f
14539	Blade Server HP Proliant dl360g5	IT	mxq914a2nc
14435	Blade Server HP Proliant dl180 g5	IT	2ux825084r
14570	Cisco Call Manager	IT	u737n6gq
notag	Cisco MCS 7800	IT	kqmyy94
notag	Cisco MCS 7800	IT	kqvft99
notag	Cisco MCS 7800	IT	kqmyz43
15450	Barracuda 610 Web Filter	IT	bar-yf-178702
9497	Cisco	IT	000a8aae1880
notag	HP Proliant ML350	IT	m01rlk8123
notag	Cisco 3550	IT	cat0808y1wr
notag	Cisco 3550	IT	cat0808y1sj
notag	Cisco 3550	IT	cat0808y1sy
notag	Cisco 3550	IT	cat0808y1s8
10285	Optima st300a	IT	315j124954s8fn0009

Room 5 38 Blade Servers Room 5 is one of the scrap pile
Room 5 2 Typewriters
Room 5 1 Projector
Room 5 1 Video Camcorder
Room 5 36 UPS
Room 5 1 Security Recorder
Room 5 Approx 135 Computers are in Room 5, most are recorded above

12 printers
3 monitors
16 LCDs
25 Computers

HP Compaq Blue Tag # 14178 Serial # MXL6260GM0
White Tangent Blue Tag # 13477 Serial # P4A50244C
Black Tangent Blue Tag # 13463 Serial # T4910004
Black Tangent Blue Tag # 12546 Serial # T4410047
Black Tangent Blue Tag # 10702 Serial # T3B10026
Black Tangent Blue Tag # 13561 Serial # P4B10148C
Black Tangent Blue Tag # 11138 No Serial #
Black Tangent No Blue Tag # No Serial #
Dell Optiplex 755 Blue Tag # 14375 Serial # GPW3RF1
View Sonic Blue Tag # 13681 Serial # PSN052300241
Tangent Blue Tag # 13230 Serial # C034900466
CTX Blue Tag # 12009 No Serial #
NU Blue Tag # 13580 Serial # L921G05012010112
Acer No Blue Tag # Serial # ETLBN0C02383208F4A4001
Philip Blue Tag # 13502 Serial # BZ00031180324
Acer No Blue Tag # Serial # ETLBN0C02383208F49000
20 Keyboards
10 Mice

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Other Business
Utility Project
Council District 7

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve The Expenditure Of Up To \$90,000 From Council District 7 Utility Funding Allocation For The Expansion Of the Spaulding Heights Community Building.

FUNDING SOURCE:

_____ Infrastructure
_____ Road System Maintenance
XXXX Utility

SIGNED: verbally approved – signature pending
Requested by Councilmember: 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
October 16, 2014

AGENDA ITEM: Other Business
Infrastructure/Utility Project

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve The Expenditure In An Amount Not To Exceed \$36,500 From Council Districts' Infrastructure/Utility Funding Allocations (Approximately \$4,056 From Each District) As Indicated Below For Building Improvements And Repairs, Equipment Purchases, And Security Upgrades For The Pee Dee Coalition.

FUNDING SOURCE:

XXX Infrastructure _____ Road System Maintenance Fee XXX Utility

Amount: \$ _____ (I/U) \$ _____ (I/U) \$ _____ (I/U)

Signed: _____
 Jason M. Springs Roger M. Poston Alphonso Bradley

Amount: \$ _____ (I/U) \$ _____ (I/U) \$ _____ (I/U)

Signed: _____
 Mitchell Kirby Kent C. Caudle Russell W. Culberson

Amount: \$ _____ (I/U) \$ _____ (I/U) \$ _____ (I/U)

Signed: _____
 Waymon Mumford James T. Schofield Willard Dorriety, Jr.

Date: _____

ATTACHMENTS:

Request from Ellen C. Hamilton, Executive Director, Pee Dee Coalition

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

Crisis Line
669-4600
1-800-273-1820

Pee Dee Coalition
Against Domestic and Sexual Assault
220 South Irby Street – PO Box 1351 – Florence, SC 29503
www.peedeecoalition.org

Business Line
843-669-4694
Fax Line
843-673-2005

September 24, 2014

Mr. K. G. "Rusty" Smith, Jr., Administrator
Florence County
Florence County Complex
180 North Irby Street
Florence, SC 29501

Dear Mr. Smith:

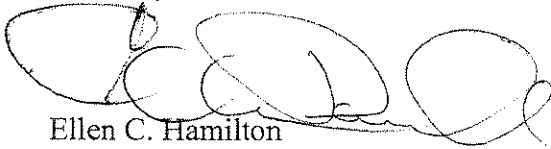
On behalf of Pee Dee Coalition, I thank you and members of Florence County Council for the continued support over the past 27 years. Florence County has been faithful in its annual financial support which has certainly helped to make this work possible.

I would like to present our infrastructure needs to Council for their consideration. These are items which we have deemed important to the continuation of services to victims of family violence and sexual assault through our primary crisis center at 220 South Irby, the Durant Children's Center at 226 South Irby, and our Emergency Safe Shelter at an undisclosed location in downtown Florence.

Please let me know if you need further clarification or would like to review bids we have for several of the needs.

Thank you for your consideration and assistance.

Sincerely,



Ellen C. Hamilton
Executive Director

C: James Schofield



Chesterfield
339 N. Page St.
623-7364

Bennettsville
108 Parsonage St.
479-0882

Marion
1305 N. Main St.
423-6568

Hartsville
460 W. Carolina Ave.
383-0240

Dillon
300 N. 1st Ave.
774-0898

Kingstree
831 Eastland Avenue
354-6481



PEE DEE COALITION INFRASTRUCTURE NEEDS FOR FLORENCE COUNTY
 FY15

Item	Location	Address	Cost
Roof	Primary Sexual Assault and Family Violence Center	220 S Irby	\$ 10,000.00
HVAC	Durant Children's Center	226 S Irby	\$ 5,000.00
HVAC	Primary Sexual Assault and Family Violence Center	220 S Irby	\$ 6,000.00
Security Expansion	Shelter	Florence	\$ 1,121.00
Victim Database	All Sites	All	\$ 4,720.00
Photocopier	Primary Sexual Assault and Family Violence Center	220 S Irby	\$ 9,433.00
			<u>\$ 36,274.00</u>

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Other Business
Infrastructure/Utility Project

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve The Expenditure In An Amount Not To Exceed \$45,000 From Council Districts 4, 8 and 9 Infrastructure/Utility Funding Allocations (Approximately \$15,000 from each district) To Assist The Sardis Timmons ville Rural Fire Department With The Purchase Of Extrication Equipment.

FUNDING SOURCE:

XXX Infrastructure _____ Road System Maintenance Fee XXX Utility

Requested by Councilmember: Mitchell Kirby, District 4

Amount: \$ 15,000 (I/U) \$ 15,000 (I/U) \$ 15,000 (I/U)

Signed: _____
Mitchell Kirby James T. Schofield Willard Dorriety, Jr.
District 4 District 8 District 9

ATTACHMENT:

Copy of request from Sardis Timmons ville Rural 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 the members were present.

Connie Y. Haselden, Clerk to Council



Sardis - Timmonsville Fire Department

P.O. Box 270
Timmonsville, SC 29161

September 16, 2014

MR. Mitchell Kirby

Florence County Council
City County Complex
180 North Irby Street
Florence, SC 29501

Dear Mr. Kirby,

We would like to thank you for your continuing support over the past several years.

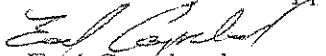
We must call on you again for your help, as you know we recently had a accident where two pick up trucks hit head on, with one bursting into flames, And the driver was pinned in and burned to death before we could get to him. The other was one of our Jr. Fireman who also was pinned in.

We had our Rescue equipment on seen, but it was not up to date or enough to take care of this situation. We then called for Timmonsville Rescue Squad and had to wait for them to arrive on seen. NOT A GOOD SITUATION TO BE IN.

We are in need of new Execration Equipment to perform our duties as required.

Please see attached Quotes that will allow us to do our jobs.

Thanks for your support.


Earl Copeland
Treasurer, District #4
Fire Board
cc: Sam Brockington



Victory Steel, LLC
 313 South Darlington Street
 Lamar, SC 29069

Quote

Date	Estimate #
7/23/2014	JB31

Name / Address
Sardis-Timmons ville Fire Department Will Ward 1513 Cale Yarborough Hwy Timmons ville, SC 29161

Rep	Project
JJB	

Item	Description	Qty	Rate	Total
TNT, PTO-QUAD	PTO-QUAD, PISTON HYDRAULIC MOTOR 10CC Quad Power Unit	1	9,450.00	9,450.00T
TNT, S-100-28-N...	S-100-28-NEX, 28 Inch Spreader (Nexus Couplers)	1	5,450.00	5,450.00T
TNT, SLC-29-NEX	SLC-29-NEX, 7-3/8 Inch C-Cutter (Nexus Couplers)	1	4,795.00	4,795.00T
TNT, BFC-320-N...	BFC-320-NEX, 7- 3/4 Inch Brute Force C-Cutter (Nexus Couplers)	1	5,295.00	5,295.00T
TNT, R-20-NEX	R-20-NEX, 20 Inch Ram (Nexus Couplers)	1	1,695.00	1,695.00T
TNT, R-30-NEX	R-30-NEX, 30 Inch Ram (Nexus Couplers)	1	1,895.00	1,895.00T
TNT, R-40-NEX	R-40-NEX, 40 Inch Ram (Nexus Couplers)	1	2,095.00	2,095.00T
TNT, R-50-NEX	R-50-NEX, 50 Inch Ram (Nexus Couplers)	1	2,195.00	2,195.00T
TNT, SLCC-30-N...	SLCC-30-NEX, Primary Spreader / Secondary Cutter (Nexus Couplers)	1	4,395.00	4,395.00T
TNT, CSC-40-RCV	CSC-40-RCV, Confined Space Cutter With RCV Remote Valve And Case (Standard Couplers)	1	4,040.01	4,040.01T
TNT, XRKIT	XRKIT, Ram Accessory Kit (Includes Part Number 529001, 529003, 529004, 529005, 529007 and 529013 With Case) R-SERIES	1	750.00	750.00T
TNT, CP-10	CP-10, Chain Package For All Spreaders	1	575.00	575.00T
TNT, EF2018 - 1...	EF2018 - 19-20 Enamel, Hose Reel, Enamel Paint, Electric Rewind - No hose - Nexus	4	1,131.00	4,524.00T
TNT, HRH-75-Nex	HRH-75-Nex, Hose Reel Hose 75 Foot Long (3/8 Dia Bonded Twin Line) Nexus Coupler On One End, #4 Jic On The Other End	4	1,673.00	6,692.00T
TNT, RV-ATT	RV-ATT, ATT Remote Valve (Standard Couplers)	2	1,500.00	3,000.00T
TNT, DL-20	DL-20, Drop Line 20 Foot	14	145.00	2,030.00T
TNT, DL-6	DL-6, Drop Line 6 Foot (Single Line Less Coupler)	4	80.00	320.00T
RQJ, STX-STJK	STX-STJK, Steel X Strut with Jack	2	2,069.27	4,138.54T
			Total	



Victory Steel, LLC
 313 South Darlington Street
 Lamar, SC 29069

Quote

Date	Estimate #
7/23/2014	JB31

Name / Address
Sardis-Timmons ville Fire Department Will Ward 1513 Cale Yarborough Hwy Timmons ville, SC 29161

Rep	Project
JJB	

Item	Description	Qty	Rate	Total
Ajax, 911-RK	Ajax 911-RK Super Duty Kit, Hammer for .498 in.shank tools, Retainer, Regulator, Ergo Chisel Grip, 12-in. Moil Point (non-turn), Double Blade Panel Cutter (non-turn), Kwik Cutter (non-turn), 18-in. Kwik Cutter (non-turn), 3/4-in Wide Chisel 8 1/2" (non-turn), 3/4-in Wide Chisel 8 1/2" (turn-type), Double Blade Panel Cutter (turn-type), Kwik Cutter (turn-type), 18-in.Kwik Cutter (turn-type), 15-ft., 3/8-in. Hose, 3/8-in. Male Connector (1/4-in. NPT hammer), 3/8-in. Male Connector (1/4-in. NPT regulator), 3/8-in. Female Coupler (3/8-in. NPT hose), Gauge Guard, 20-in. Steel Kit Box, Kit Box Liner, 4-oz. Oil, Chisel Pouch, Chisel Pouch, Trim Removal Tool	1	2,295.00	2,295.00T
Shipping	Shipping and Handling NO CHARGE		500.00	500.00
	Sales Tax		8.00%	5,250.36
Total				\$71,379.91

Fire Equipment Sales & Service

1665 Stamey Livestock Road
Sumter, SC

Quote

Date	Quote #
8/8/2014	418

Name / Address
Sardis Timmonsville Rural Fire Department PO Box 270 Timmonsville SC 29161

Rep	Project

Description	Qty	Total
Electrical Labor	30	2,250.00
Labor for Metal Fabrication	24	1,800.00
Electric Cord Reel	1	1,700.00T
Electric Air Hose Reel	1	1,035.86T
Low Pressure Regulator Input Max 5500PSI outpus 225PSI	1	449.76T
9000lb winch and carrier	1	1,456.25T
Backup camera kit	1	387.50T
105% min engine RPM 1200 pump speed 1800	1	1,543.36T
Lube Hose Kit	1	127.81T
Lube Tee	1	61.70T
45cc DeltaQ Pump	1	3,125.00T
Wire, Loom, Ties, Splices, Etc	1	450.76T
4' x 8' 3/16 Aluminum	5	896.00T
90" - Dual Direction Slide with Lock	2	1,245.00T
6' - 1-5/8 x 1-5/8 Aluminum Uni-Strut	1	28.73T
24" Slides	2	750.27T
Sardis-Timmonsville Part Installation for Rescue Truck		
Sales Tax-Florence County		1,060.64
Total		\$18,368.64

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Other Business
Council District #6

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$347,450.25 from Council District #6 funding allocations to pay for the resurfacing of Justine Drive, College Lake Drive, Kirby Farm Drive, Marion Green Road, milling and resurfacing of Cypress Bend and full depth patching and resurfacing of Fleetwood Drive and Welch Drive.

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by the Finance Dept.

Contingent on getting the encroachment permit from the SCDOT for Fleetwood Drive and Welch Drive.

FUNDING SOURCE:

 Infrastructure
 2 Road System Maintenance
 1 Utility

SIGNED: 
Requested by Councilmember: Russell Culberson

Date: 10/8/14

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

PROPOSED ADDITIONS TO THE
OCTOBER 16, 2014 MEETING AGENDA

DESCRIPTION
(Requested by)

DATE REC'D

ITEM

RESOLUTIONS:

Resolution No. 10-2014/15

10/10/14

A Resolution To Express Florence County's Request That The South Carolina General Assembly Increase The Allocation To The Local Government Fund To Both Provide Property Taxpayers With The Relief They Have Been Promised And Allow County Government The Ability To Provide The State And Local Government Services Required Under State Law.

FLORENCE COUNTY COUNCIL MEETING

October 16, 2014

AGENDA ITEM: Resolution No. 10-2014/15

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

A Resolution To Express Florence County's Request That The South Carolina General Assembly Increase The Allocation To The Local Government Fund To Both Provide Property Taxpayers With The Relief They Have Been Promised And Allow County Government The Ability To Provide The State And Local Government Services Required Under State Law.

OPTIONS:

1. *(Recommended)* Approve Resolution No.10-2014/15
2. Provide an alternate directive.

ATTACHEMENTS:

Copy of Proposed Resolution No. 10-2014/15

Sponsor(s) : County Council
Adopted: : October 16, 2014
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 10-2014/15

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

A RESOLUTION TO EXPRESS FLORENCE COUNTY'S REQUEST THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INCREASE THE ALLOCATION TO THE LOCAL GOVERNMENT FUND TO BOTH PROVIDE PROPERTY TAXPAYERS WITH THE RELIEF THEY HAVE BEEN PROMISED AND ALLOW COUNTY GOVERNMENT THE ABILITY TO PROVIDE THE STATE AND LOCAL GOVERNMENT SERVICES REQUIRED UNDER STATE LAW.

WHEREAS:

1. The South Carolina General Assembly enacted the Home Rule Act, Act No. 283 of 1975, granting certain, but limited, powers to the Local Governing bodies across the State; and
2. The State, in addition to the powers and obligations enumerated by the Home Rule Act, has chosen to utilize Counties as an administrative arm of the State of South Carolina and as an additional funding source for State agencies; and
3. The Legislature proposed and passed the State Aid to Subdivisions Act in the FY1991-92 budget; and
4. This Act requires that the State appropriate 4.5% of general fund revenues of the most recently completed fiscal year to the Local Government Fund; and
5. In FY2009-10, FY2010-11, FY2011-12, FY2013-14 and FY2014-15 the General Assembly suspended the provisions of §6-27-30 and §6-27-50 in the budget and failed to fund the LGF at the statutorily mandated formula; and
6. For FY2014-15 the General Assembly funded the LGF at \$187.6 million in recurring dollars and \$25 million in non-recurring money; this amount represents \$75 million in lost tax relief to county taxpayers; and
7. In 1999 the General Assembly passed §12-37-2735, the Personal Property Tax Relief Fund, to provide an additional \$20 million allocation to counties for property tax relief; and
8. Since FY2001-02 the General Assembly has suspended the provisions of §12-37-2735 in the budget and failed to fund the Personal Property Tax Relief Fund at the statutorily mandated level; and
9. State-shared revenue assists in the burden placed upon property taxpayers to fund both State and local services; and

10. Despite refusing to increase monies to the Local Government Fund, the General Assembly persists in statutorily requiring counties to assume the State's administrative and financial responsibilities; and
11. The State further punishes county taxpayers by withholding additional revenue for a county's failure to assume the State's obligations; and
12. In addition to surreptitiously dismantling statutory property tax relief granted to their property taxpayers, the General Assembly has further restricted county government's ability to generate revenue, thereby preventing the counties from being able to pay for legitimate functions of county government and from mitigating the expected shortfalls resulting from the state's refusal to meet its statutory obligations; and
13. Despite the fact that the State general fund saw a 20.3% increase from FY2010 to 2013, the General Assembly refuses to provide even a negligible increase for property tax relief, much less fund in accordance with State statutes; and
14. This tax policy is unsustainable without substantial tax increases and service reductions; and
15. A failure to fund the Local Government Fund requires taxpayers to pay twice for the same services they were receiving prior to the reductions in the Local Government Fund.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Florence County, the Florence in meeting duly assembled that:

Section 1. The County urges the General Assembly reestablish accountability by restoring State funding of State agencies and desist in the current policy which forces counties to levy property taxes to fund these agencies.

Section 2. The County urges the General Assembly to increase the allocation to the Local Government Fund to both provide property taxpayers with the relief they have been promised and allow county government the ability to provide the State and Local Government services required under State Law.

[End of Document – Signature Page to Follow]

THE FLORENCE COUNTY COUNCIL:

James T. Schofield, Chairman

Waymon Mumford, Vice Chairman

Mitchell Kirby, Secretary-Chaplain

Russell W. Culberson, Member

Alphonso Bradley, Member

Roger M. Poston, Member

Kent C. Caudle, Member

Willard Dorriety, Jr., Member

Jason M. Springs, Member

K. G. Rusty Smith, Jr., Administrator

ATTEST:

Connie Y. Haselden, Clerk

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT: