

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
November 29, 2011
PC#2011-21**

SUBJECT: Request for an amendment to Section 30-28. Table I: Schedule of permitted and conditional uses and off-street parking requirements for residential uses and Section 30-101. Communication towers and antennas of the Florence County Code of Ordinances for text amendments.

APPLICANT: Florence County Planning Department Staff

STAFF ANALYSIS:

As staff administers the regulations of Chapter 30-Zoning Ordinance of the Florence County Code, periodic amendments need to be made to the Zoning Ordinance in an effort to continue to provide the most efficient and accurate customer service as possible to the citizens of Florence County.

Florence County continues to review the need for permitting certain uses in residential zoning districts in an ongoing effort to facilitate the needs of communities for enhanced communication purposes.

The Board of Zoning Appeals has recommended that a text amendment be brought forth for appearance before the Planning Commission for review to allow communication towers and antennas conditionally in residential zoning districts.

At this time, the amendments to the text of the above-referenced Sections to allow communications towers and antennas conditionally and per review by the Board of Zoning Appeals in the R-1, R-2, R-3, R-4 and R-5 zoning districts are being submitted as follows.

NOTE: The requested text amendments are as follows with deletions and replacement of text by strikethrough and in bold and addition of new text in bold only.

1. Sec. 30-28. - Table I: Schedule of permitted and conditional uses and off-street parking requirements for residential districts.

	NAICS	R-1	R-2	R-3	R-3A	R-4	R-5	R-5A	Off-Street Parking Requirements
Residential uses									
Site built dwellings									
Single-family detached	81411	P	P	P	P	P	P	P	None
Duplex	81411	N	N	N	N	P	P	P	2.0 spaces per

									unit
Townhouse (section <u>30-91</u>)	81411	N	N	C	C	C	C	C	2.0 spaces per unit
Patio home (section <u>30-92</u>)	81411	N	N	C	C	C	C	C	2.0 spaces per unit
Triplex	81411	N	N	N	N	N (1)	P	P	2.0 spaces per unit
Quadraplex	81411	N	N	N	N	N (1)	P	P	1.5 spaces per unit
Multi-family	81411	N	N	N	N	N (1)	P	P	1.5 spaces per unit
Rooming & boarding houses	72131	N	N	N	N	N	P	P	1.0 spaces per bedroom
Bed & breakfast inns (section <u>30-93</u>)	721191	N	N	C	C	C	C	C	1.0 spaces per bedroom
Manufactured dwellings (footnote)									
Residential designed (section <u>30-94</u>)	81411	N	N	C	N	N	C	N	None
Standard designed (section <u>30-94</u>)	81411	N	N	N	N	N	N	N	None
Mobile home (section <u>30-94</u>)	81411	N	N	N	N	N	N	N	2.0 spaces per unit
Modular home	81411	P	P	P	P	P	P	P	None
Manufactured home park (section <u>30-97</u>)	81411	N	N	N	N	N	C	C	2.0 spaces per unit
Accessory uses (section <u>30-246</u>)									
Bathhouses, cabanas	NA	P	P	P	P	P	P	P	None
Domestic animal shelters	NA	P	P	P	P	P	P	P	None
Child day care services	6244	P	P	P	P	P	P	P	None

Satellite dishes/antennas	NA	P	P	P	P	P	P	P	None
Accessory apartment (section <u>30-97</u>)	NA	C	C	C	C	C	C	C	None
Coin operated laundries & dry cleaners	81231	N	N	N	N	N	N	N	None
Non-commercial greenhouse	NA	P	P	P	P	P	P	P	None
Private garage & carport	NA	P	P	P	P	P	P	P	None
Storage building	NA	P	P	P	P	P	P	P	None
Swimming pool, tennis courts	NA	P	P	P	P	P	P	P	None
Auxiliary shed, work shop	NA	P	P	P	P	P	P	P	None
Home occupation (section <u>30-98</u>)	NA	C	C	C	C	C	C	C	None
Horticulture, gardening	NA	P	P	P	P	P	P	P	None
Signs—See article V									None
Support uses									
Recreational									
Public parks, playgrounds, & community centers	71394	P	P	P	P	P	P	P	1.0 per 250 GFA activity buildings, 1% land area to parks
Golf courses, public & private	71391	P	P	P	P	P	P	P	5.0 spaces for each hole
Swimming & tennis clubs	71394	P	P	P	P	P	P	P	1.0 space for each 200 s.f. GFA
Educational									
Elementary schools	6111	P	P	P	P	P	P	P	2.0 spaces per classroom, plus 5.0 admin. spaces
Secondary schools	6111	P	P	P	P	P	P	P	5.0 spaces per classroom, plus 10 admin. spaces
Information									
Libraries	519120	N	N	N	N	P	P	P	1.0 space per 350 s.f. GFA

Social									
Nursing & residential care facilities	623	N	N	N	N	P	P	P	0.4 per bed, plus 1.0 space per 500 s.f. GFA
Day care services	62441	N	N	N	N	P	P	P	1.0 space per 200 s.f. GFA
Religious organizations	81311	P	P	P	P	P	P	P	0.3 spaces per seat, main seating
Utilities									
Communication transmission only, except towers/antennas	5133	P	P	P	P	P	P	P	None
Communication towers & antennas (section 30-101)	51332	CN	CN	CN	CN	CN	CN	CN	None
Electric, gas, transmission only	221121	P	P	P	P	P	P	P	None
Sewerage treatment facilities	22132	P	P	P	P	P	P	P	None
Water supply & irrigation systems	22131	P	P	P	P	P	P	P	None
Public order & safety	9221	P	P	P	P	P	P	P	1.0 space per 350 s.f. GFA
Fire protection	92216	P	P	P	P	P	P	P	4.0 spaces per bay
Temporary uses									
Temporary uses		C	C	C	C	C	C	C	By individual review

1. The amendment to the text of Section 30-101. - Communication towers and antennas shall add text to the section to read as follows:

Sec. 30-101. - Communication towers and antennas.

Where conditionally permitted as a principal use by Table I, communication towers and antennas shall appear before the Board of Zoning Appeals for review and if approved, shall adhere to the following regulations as set forth for the same uses as allowed by Table II.

Where conditionally permitted as a principal use by Table II, communication towers and antennas shall adhere to the following regulations.

- (1) All new towers shall be designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
- (2) All applicable safety code requirements shall be met.
- (3) Towers or antennas shall not be painted or illuminated unless otherwise required by state or federal regulations.
- (4) No tower or antenna shall be located within 1,000 feet of an existing tower or antenna, except where the applicant certifies that the existing tower does not meet the applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.
- (5) Towers or antennas shall be exempt from the maximum height requirements of this chapter, except as provided in section 30-242
- (6) Permit requirements for the erection or placement of a tower or antenna shall be accompanied by the following:
 - a. One copy of typical specifications for proposed structures and antennae, including description of design characteristics and material.
 - b. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property; [site plan not required if antenna is to be mounted on an approved existing structure].
 - c. A current map or update of an existing map on file, showing locations of applicant's antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property.
 - d. Identification of the owners of all antennae and equipment to be located on the site.
 - e. Written authorization from the site owner for the application.
 - f. Evidence that a valid FCC license for the proposed activity has been issued.
 - g. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
 - h. A written agreement to remove the tower and/or antenna within 180 days after cessation of use.
 - i. A certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, together with written indemnification of the affected government and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the affected government

STAFF RECOMMENDATION:

Planning staff recommends approval of the text amendment request to Planning Commission as presented.

FLORENCE COUNTY PLANNING COMMINSSION ACTION TUESDAY, NOVEMBER 29, 2011:

FLORENCE COUNTY COUNCIL MEETING:

Introduction on the Ordinance for the text amendment appeared on the agenda for Florence County Council at the meeting on Thursday, November 17, 2011.

Second Reading on the Ordinance for the text amendment will be tentatively scheduled for appearance on the agenda for Florence County Council at the meeting on Thursday, December 8, 2011 at 10:00am at the Lynches River County Park, 1110 Ben Gause Road, Coward.