AGENDA
FLORENCE COUNTY COUNCIL
REGULAR MEETING
180 N. IRBY STREET
COUNTY COMPLEX
COUNCIL CHAMBERS, ROOM 803
FLORENCE, SOUTH CAROLINA
THURSDAY, JANUARY 18, 2024
9:00 A. M.

The Council meeting will be accessible via live stream at www.florenceco.org.

I. CALL TO ORDER: WILLARD DORRIETY, JR., CHAIRMAN

II. INVOCATION: WAYMON MUMFORD, SECRETARY/CHAPLAIN

III. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG: JERRY YARBOROUGH, JR., VICE-CHAIRMAN

IV. WELCOME: WILLARD DORRIETY, JR., CHAIRMAN

V. ELECTION OF OFFICERS:
COUNTY ATTORNEY D. MALLOY MCEACHIN, JR. PRESIDING

Chairman
Vice-Chairman
Secretary-Chaplain

VI. RECESS:
If needed, Council will take a brief recess to set the dais.
VII. MINUTES:

**MINUTES OF THE DECEMBER 14, 2023 REGULAR MEETING**
Council is requested to approve the minutes of the December 14, 2023, Regular Meeting of County Council.

**MINUTES OF THE JANUARY 4, 2024 SPECIAL CALLED MEETING**
Council is requested to approve the minutes of the January 4, 2024, Special Called Meeting of County Council.

VIII. PUBLIC HEARING(S):
Council will hold public hearings to receive public input with regard to the following:

1. **ORDINANCE NO. 26-2023/24**
   An ordinance for text amendments to the Florence County Code of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III-CONDITIONAL USE REGULATIONS, Sec. 30-111(6)(d) Mining and Extraction Operations; and Chapter 30- ZONING ORDINANCE, ARTICLE II- ZONING DISTRICT REGULATIONS, Sec. 30-29- Table II: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements for Business & Rural Districts; Sec. 30-117-30-120. Reserved; and other matters related thereto.

2. **ORDINANCE NO. 27-2023/24**
   An ordinance to declare approximately 15.12 acres more or less as surplus property located on North Koppers Road, Florence, South Carolina identified by Tax Map Number 00176-01-013 and to authorize the sale of said approximately 15.12 acres more or less located on North Koppers Road, Florence, South Carolina in the amount of one hundred eighty-one thousand and four hundred forty dollars ($181,440) to Russell Poston, and other matters relating thereto.

3. **ORDINANCE NO. 28-2023/24**
   An ordinance authorizing pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, an amendment to that certain Fee-In-Lieu Of Ad Valorem Taxes Agreement, by and between Florence County, South Carolina and AESC US LLC; and to enter into a Manufacturing Site Ground Lease Agreement authorizing the demise and lease of certain real property to the sponsor; and addressing other related matters.
IX. APPEARANCES:

1. **STEPHEN RIETKOVICH**
   Mr. Rietkovich Requests To Appear Before Council To Provide An Update On The Florence Athletic Hall Of Fame Program.

2. **CAROLINA ACRES SUBDIVISION**
   Ms. Norece Harley Requests To Appear Before Council To Speak On Ordinance No. 22-2023/24.

X. COMMITTEE REPORTS:
(Items Assigned To Committees Will Appear In *Italics.*)

Administration & Finance
(Chairman Dorriety Councilmen Mumford, Moore, and Schofield)
   *October 5, 2023*

Public Services & County Planning
(Councilman Caudle/Chair, Councilmen Bradley, and Springs)
   *July 1, 2021, Comprehensive Plan (Joint with Planning Commission)*

Justice & Public Safety
(Councilman Springs/Chair, Councilmen Poston, and Yarborough)
   *November 16, 2023*

Education, Recreation, Health & Welfare
(Councilman Poston/Chair, Councilmen Bradley, and Yarborough)
   *May 4, 2022*

Agriculture, Forestry, Military Affairs & Intergovernmental Relations
(Councilman Yarborough/Chair, Councilmen Schofield, and Mumford)
   *January 11, 2024, City-County Conference Committee*

XI. RESOLUTIONS/PROCLAMATIONS:

1. **RESOLUTION NO. 14-2023/24**
   A Resolution Acknowledging The Service Of The Members Of The Board Of Directors Of The Florence County Public Facilities Corporation And Expressing The Gratitude Of The People Of Florence County For Such Service, Which Has Furthered The Health, Safety, And Prosperity Of Florence County And Other Matters Relating Thereto.
2. **RESOLUTION NO. 15-2023/24**
   A Resolution Authorizing An Amendment To The Agreement Governing The Darlington-Florence Industrial Park Dated As Of April 21, 2016, To Add Additional Park Property In Darlington County, And Addressing Other Matters Related Thereto.

3. **RESOLUTION NO. 16-2023/24**
   A Resolution For EMS To Reassign Twenty-Nine Thousand, One Hundred And Sixty-Six Dollars And Fifty-One Cents ($29,166.51) Of American Rescue Plan Act (ARPA) Funds In Accordance With The Final Rule From The United States Treasury As It Relates To The American Rescue Plan Act (ARPA) Funds.

4. **RESOLUTION NO. 17-2023/24**
   A Resolution Designating Specific Individual Council District 8 Road Projects To Be Funded From CPST III Excess Pursuant To Section 2.02 Of Ordinance No. 16-2023/24.

5. **RESOLUTION NO. 18-2023/24**
   A Resolution To Amend Section 4 Of Resolution No. 5-2009/10 To Remove The Daily Limit And Increase The Monthly Limit Of One Participant In The South Carolina Procurement Program.

**XII. ORDINANCES IN POSITION:**

A. **THIRD READING:**

1. **ORDINANCE NO. 19-2023/24**
   An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT; And Other Matters Related Thereto. (Planning Commission approved 7 to 0)

2. **ORDINANCE NO. 20-2023/24**
   An Ordinance For Text Amendments To The Existing County “LAND USE” Section and Future County, “Land Use And Growth” Section Of The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan; And Other Matters Related Thereto. (Planning Commission approved 7 to 0)
3. **ORDINANCE NO. 21-2023/24**

An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE I. – ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY, And ARTICLE II. – ZONING DISTRICT REGULATIONS, And ARTICLE X. – DEFINITIONS; And Other Matters Related Thereto. (Planning Commission approved 7 to 0)

4. **ORDINANCE NO. 22-2023/24**


5. **ORDINANCE NO. 23-2023/24**

An Ordinance To Change The Zoning Designation From R-3 Single Family Residential To R-3A Single Family Residential Consisting Of The Following Property As It Is Reflected On The Tax Maps As: 90125-01-048; And Other Matters Related Thereto. (Planning Commission Approved 7 to 0; Council District 7)

6. **ORDINANCE NO. 24-2023/24**

An Ordinance To Change The Zoning Designation For A Portion Of The Property Of Tax Map Number 70007, Block 02, Parcel 001 Located At The Intersection Of W. Smith Street And W. Market Street, Timmonsville, SC From R-3 Single Family Residential To B-3 General
Commercial; And Other Matters Related Thereto. (Planning Commission Approved 7 to 0; Council District 4)

7. **ORDINANCE NO. 25-2023/24**
   An Ordinance To Amend Florence County Code Of Ordinances Section 23-11(a) To Increase The Fee To Be Collected For Campground Sites In Florence County And Other Matters Relating Thereto.

8. **ORDINANCE NO. 26-2023/24 (DEFERRED)**
   An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III-CONDITIONAL USE REGULATIONS, Sec. 30-111(6)(d) Mining And Extraction Operations; And Chapter 30- ZONING ORDINANCE, ARTICLE II.- ZONING DISTRICT REGULATIONS, Sec. 30-29- Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Business & Rural Districts; Sec. 30-117-30-120. Reserved; And Other Matters Related Thereto.

9. **ORDINANCE NO. 27-2023/24**
   An Ordinance To Declare Approximately 15.12 Acres More Or Less As Surplus Property Located On North Koppers Road, Florence, South Carolina Identified By Tax Map Number 00176-01-013 And To Authorize The Sale Of Said Approximately 15.12 Acres More Or Less Located On North Koppers Road, Florence, South Carolina In The Amount Of One Hundred Eighty-One Thousand And Four Hundred Forty Dollars ($181,440) To Russell Poston, And Other Matters Relating Thereto.

10. **ORDINANCE NO. 28-2023/24**
    An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina, As Amended, An Amendment To That Certain Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Florence County, South Carolina, And AESC US LLC; And To Enter Into A Manufacturing Site Ground Lease Agreement Authorizing The Demise And Lease Of Certain Real Property To The Sponsor; And Addressing Other Related Matters.

**B. SECOND READING:**
There Are No Ordinances To Be Published For A Second Reading.
C. INTRODUCTION:

1. **ORDINANCE NO. 29-2023/24**
   An Ordinance To Change The Zoning Designation For Property Of Tax Map Number 60003, Block 01, Parcel 005 Located At 211 S. Walnut Street Pamplico, SC From R-1 Single Family Residential District To B-3 General Commercial District; And Other Matters Related Thereto.] (Planning Commission Approved 5 to 0; Council District 2)

2. **ORDINANCE NO. 30-2023/24**
   An Ordinance To Change The Zoning Designation For Property Of Tax Map Number 00053, Block 04, Parcel 030 Located At The Intersection Of W. Palmetto Street And Alligator Road Florence, SC From Unzoned To Planned Development District, Designated As (PD-23-2); And Other Matters Related Thereto.] (Planning Commission Approved 4 to 1; Council District 4)

3. **ORDINANCE NO. 31-2023/24**
   An Ordinance To Amend An Existing Planned Development, Designated As (PD-19-1), Located At The Intersection Of Quartz Lane And Dunton Drive, Florence; And Other Matters Related Thereto. (Planning Commission Approved 5 to 0; Council District 6)

4. **ORDINANCE NO. 32-2023/24**
   An Ordinance To Declare Approximately 0.48 Acres Surplus Property Located On East Main Street, Timmonsville, South Carolina Identified By TMP # 70012-20-027 And Authorize The Sale Of Approximately 0.48 Acres Located On East Main Street, Timmonsville, South Carolina, To The Timmonsville Rescue Squad In The Amount Of Five Dollars ($5.00); And Other Matters Relating Thereto.

5. **ORDINANCE NO. 33-2023/24**
   An Ordinance To Declare Approximately 14.43 Acres More Or Less As Surplus Property Located On North Williston Road, Florence, South Carolina Identified As Being A Portion Of Tax Map Number 00240-01-007 And To Authorize The Sale Of Said Approximately 14.43 Acres More Or Less Located On North Williston Road, Florence, South Carolina In The Amount Of Five Dollars ($5.00) And Other Valuable Consideration To The South Carolina Board For
XIII. **APPOINTMENTS TO BOARDS & COMMISSIONS:**

**COUNCIL DISTRICT 5**
Council Is Requested To Approve The Appointment And Reappointment Of The Individuals To Serve On The Boards & Commissions Representing District 5 With The Appropriate Expiration Terms.

1. Hugh L. Wilcox, Jr.- SC 250 Commission (Appoint)
2. Shelva Carnell Freeman- Senior Citizen Commission (Reappoint)

XIV. **REPORTS TO COUNCIL:**

A. **ADMINISTRATION:**

1. **MONTHLY REPORTS**
   Monthly Financial Reports Are Provided To Council For Fiscal Year 2023 Through November 30, 2023, As An Item For The Record.

2. **EASEMENT**
   Council Is Asked To Authorize The County Administrator To Execute An Easement To Duke Energy Progress, LLC To Install Upgraded Facilities At Property Owned By Florence County (TMP#80010-02-003) To Be Funded By Duke Energy.

3. **ENGINEERING SERVICES AGREEMENT**
   Council Is Asked To Approve The Agreement With Davis & Floyd For Engineering Services In The Amount Of $558,000 For The RIA SCIIP Drainage Improvements Grant Project And Authorize The County Administrator To Execute The Agreement.

B. **PARKS & RECREATION:**

**BUDGET NEUTRAL PAY ADJUSTMENT**
Council Is Asked To Authorize A Budget-Neutral Pay Adjustment For Slot #’s 009 And 305 Utilizing FY2023/24 Departmental Budgeted Funds In The Amount Of $4,000.
C. PROCUREMENT:

1. **WINDY HILL FIRE DISTRICT - BID NO. 17-23/24**
   
   Council Is Requested To Award Bid No. 17-23/24, In The Amount Of Six Hundred Seventy-Six Thousand Five Hundred Forty-One Dollars ($676,541.00) From Unified Fire District Windy Hill Capital Improvement Funds. *(3 Bids Received.)*

2. **SHERIFF’S OFFICE - BID NO. 29-23/24**
   
   Council Is Requested To Award Bid No. 29-23/24, Front Entrance Bullet Resistance Glass To San Glo Carolina, Inc. Of Florence, SC In The Amount Of $176,500.00 To Be Funded From Budgeted Funds. *(3 Bids Received.)*

D. PUBLIC WORKS:

- **BID NO. 31-22/23**

   Council Is Requested To Award Bid No. 31-22/23, District 8 Resurfacing Project For Greenway Drive In The Amount Of $84,700.00 To C.R. Jackson Inc. Of Darlington, SC From District 8 Road System Maintenance Fee Funds.

E. PUBLIC WORKS/PROCUREMENT:

- **BID NO. 23-23/24**

   Council Is Requested To Award Bid No. 23-23/24, Road Resurfacing For District 8 Roads In The Amount of $492,853.75 To C.R. Jackson, Inc. Of Florence, SC From CPST III-A Funds. *(3 Compliant Bids Received.)*

F. UNIFIED FIRE DISTRICT:

- **DECLARATION OF SURPLUS**

   Council Is Approve The Declaration Of One (1) 2003 Ford Brush Truck (VIN: 1FTSF31P73EC02314) As Surplus Property To Be Sold By The Most Advantageous Method With Funds To Be Placed In Fund 37 To Be Utilized By Windy Hill Fire Department.
G. **HUMAN RESOURCES:**

**BUDGET NEUTRAL PAY ADJUSTMENT**
Council Is Asked To Authorize A Budget-Neutral Pay Adjustment For Slot #005 Utilizing FY2023/24 Administration Department Budgeted Funds In The Amount Of $5,000.

XV. **OTHER BUSINESS:**

**INFRASTRUCTURE:**

**FIRE HYDRANTS**
Council Is Requested To Approve The Expenditure Of Not To Exceed $13,000.00 From Council District 2 Infrastructure Allocation Funding To Purchase Two Fire Hydrants To Be Installed By The City Of Johnsonville. The Hydrants Will Be Located At Pert Industries.

**ROAD SYSTEM MAINTENANCE FEE (RSMF):**

**BLUFF ROAD**
Council Is Requested To Approve The Expenditure Of Not To Exceed $7,500.00 From Council District 2 Road Funding For 200 Tons Of MBC Stone To Be Put On Bluff Road Going To The Landing.

**NORTH KEITH ROAD**
Council Is Requested To Approve The Expenditure Of Not To Exceed $7,000.00 From Council District 4 Funding To Palmetto Mining For MBC Stone To Be Put On North Keith Street, Timmonsville, South Carolina.

XVI. **EXECUTIVE SESSION:**
Pursuant To Section 30-4-70 Of The South Carolina Code Of Laws 1976, As Amended

XVII. **ADJOURN:**
AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Council Is Requested To Approve The Minutes Of December 14, 2023, Regular Meeting Of County Council.

OPTIONS:
1. (Recommend) Approve as presented.
2. Approve with corrections or additions.

ATTACHMENTS:
A copy of minutes from the December 14, 2023 meeting.
REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL, THURSDAY, DECEMBER 14, 2023, 9:00 A.M., COUNTY COMPLEX, 180 N. IRBY STREET, ROOM 803, FLORENCE SOUTH CAROLINA

PRESENT:
Willard Dorriety, Jr., Chairman
Waymon Mumford, Council Member
Jerry W. Yarborough, Jr., Vice-Chairman
Kent Caudle, Council Member
Roger M. Poston, Council Member
Stoney “Toney” C. Moore, Council Member
C. William Schofield, Council Member
Kevin Yokim, County Administrator
D. Malloy McEachin, Jr., County Attorney
Hope M. Jones, Clerk to Council

ABSENT:
Dr. Alphonso Bradley, Council Member
Jason M. Springs, Council Member (Voted by Proxy)

ALSO PRESENT:
Shannon Munoz, Deputy Administrator
Jamie Floyd, Tax Assessor
Barrett Dowdy, EMS Director
Sam Brockington, Fire/Rescue Coordinator
Claudia Kropf, Human Resources Director
Mitch Fulmore, Director of the Emergency Management Department
Reggie Sanders, GIS Director
Carleton Snow, Information Technology Director
Andrew Stout, Museum Director
Gregg Robinson, CEO of Economic Development Partnership
Ashley Davison, Finance Director
Mayor Bruce Bennett, Town of Pamplico
Christian Smith, Morning News Editor
Tyler Fedor, Post & Courier

A notice of the regular meeting of the Florence County Council appeared in the December 12, 2023, 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, 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). The Council meeting was
made available via livestream at www.florenceco.org, aired on the Government Access Channel (Spectrum Channel 1301) and archived on the County website.

**CALL TO ORDER/INVOCATION/PLEDGE/WELCOME:**
Chairman Dorriety called the meeting to order. Vice-Chairman Yarborough provided the invocation and led the Pledge of Allegiance to the American Flag. Chairman Dorriety welcomed everyone who was in attendance at the meeting.

Councilman Poston introduced the new mayor of the Town of Pamplico, Bruce Bennett.

**MINUTES OF THE NOVEMBER 16, 2023 REGULAR MEETING**
Council Is Requested To Approve The Minutes Of The November 16, 2023, Regular Meeting Of County Council. Vice-Chairman Yarborough made the motion and Councilman Schofield seconded. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

**PUBLIC HEARINGS:**
Council held a public hearing to receive public input with regard to the following:

**ORDINANCE NO. 25-2023/24**
An Ordinance To Amend Florence County Code of Ordinances Section 23-11(a) To Increase The Fee To Be Collected For Campground Sites In Florence County And Other Matters Relating Thereto.

**APPEARANCES:**
No Appearances Requested At The Time Of Publication.

**COMMITTEE REPORTS:**
No committee reports updates.

**RESOLUTIONS/PROCLAMATIONS:**

**RESOLUTION OF RECOGNITION**
The Clerk published the resolution in its entirety. A Resolution For The 2023 Miracle League Of Florence County All-Star Players. Councilman Caudle made the motion and Councilman Mumford seconded. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.) Councilman Moore said that it is a blessing for all to go and watch a game. Their annual oyster roast fundraiser is on January 27, 2024. The parents stated they were proud of all the participants. The league has now 220 participants.
RESOLUTION NO. 11-2023/24
The Clerk published the title of the Resolution. A Resolution For The Cancellation And Termination Of Declaration Of Covenants, Conditions, Restrictions And Easements For Godley Morris Commerce Center, Lake City, South Carolina. Vice-Chairman Yarborough made the motion and Councilman Moore seconded. Mr. Yokim stated various lots were subdivided by Godley Morris Group, LLC, and burdened by the Declaration of Covenants, Conditions, Restrictions, and Easements. Florence County owns 90% of the total acreage and it has declared its intentions to terminate these Declarations. Ninety percent of the owners have declared its intentions to terminate and we are asking for Council approval. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

RESOLUTION NO. 12-2023/24
The Clerk published the title of the Resolution. A Resolution To Rescind Resolution No. 23-2021/22 Approved By Council On February 17, 2022. Vice-Chairman Yarborough made the motion and Councilman Moore seconded. Mr. Yokim stated South Carolina Geodetic Survey is proposing to change the boundary between Florence County and Darlington County. Due to a potential past economic development prospect, Florence County desired to retain the existing boundary and therefore adopted Resolution No. 23-2021/22 in favor of retaining the existing boundary. Now, it appears the prospect will not be located in Florence County; therefore, the County wishes to rescind Resolution No. 23-2021/22. The proposed change in boundary line would result in approximately 100 parcels moving from Darlington County to Florence County and approximately 10 parcels moving from Florence County to Darlington County. We asked Council to approve the Resolution and enter into a discussion with Darlington County for the future of the border. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

RESOLUTION NO. 13-2023/24
The Clerk published the title of the Resolution. A Resolution Identifying A Project To Satisfy The Requirements Of Title 12, Chapter 44 Of The South Carolina Code, So As To Allow Investment Expenditures Incurred By A Company Known To The County As Project Mallard, Its Affiliates And Related Entities, To Qualify As Expenditures Eligible For A Fee-In-Lieu Of Taxes Arrangement With Florence County, South Carolina; Providing For Other Related Economic Development Incentives, Including A County Economic Development Grant, Special Source Revenue Credits; And Other Related Matters. Councilman Caudle made the motion and Councilman Moore seconded, Councilman Mumford made a motion to amend Resolution No. 13-2023/24 in the title to insert “AESC” on the second line after the word “By” and in the appropriate places in the
The motion to amend was approved unanimously by all of the members present. Gregg Robinson, CEO of Economic Development Partnership, published a letter from the Manager Director Jeff Deaton - “Our partnership with Florence County and The State of South Carolina has exceeded our expectations and we are proud to commit to creating high value jobs for this great community for years to come. As we continue to make significant strides towards high performance longer range batteries to propel the EV transitions into the United States, we are excited to have Florence County as a partner in this journey with us.” Mr. Robinson stated that this signifies the commitment of our pro-business environment, our Planning Department, Legal Department, and everyone that has pulled in the same direction. These types of projects do not happen overnight, even though, this a very fast timeline, these commitments are going where they know they can have the strongest return or investment for the company. In turn, we do as well. This represents an additional fifty million dollars in infrastructure related assistance. It is going to supplement our training facility with an additional seven million dollars taking the training center that will be located on Highway 327 to twenty-two million dollars dedicated to this project. To hire these sixteen hundred plus employees is going to be a critical next step. This a historical event. It takes the total capital investment to $1.62 billion dollars, significantly the largest in the entire Eastern Carolinas, and also grows the footprint of the building an additional twenty percent and it is currently scheduled to be 1.5 million square feet. Mr. Robinson thanked Council for allowing him to speak and the departments that helped with the project. The motion as amended was approved unanimously by all the of the members present.

ORDINANCES IN POSITION:
There Were No Ordinances Published For The Third Reading.

ORDINANCE NO. 19-2023/24- SECOND READING
The Clerk published the title of the Ordinance. An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT; And Other Matters Related Thereto. (Planning Commission approved 7 to 0). Vice-Chairman Yarborough made the motion and Councilman Schofield seconded. Mr. Yokim stated the intent of this text amendment is to update the Florence County Ordinance to enhance and protect the quality of life for occupants and adjacent property owners of Planned Development Districts (PD) and to ensure PD’s meet the requirements of the South Carolina Local Government Comprehensive Planning Enabling Act. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)
ORDINANCE NO. 20-2023/24- SECOND READING
The Clerk published the title of the Ordinance. An Ordinance For Text Amendments To The Existing County “LAND USE” Section and Future County, “Land Use And Growth” Section Of The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan; And Other Matters Related Thereto. (Planning Commission approved 7 to 0). Councilman Schofield made the motion and Councilman Mumford seconded. Mr. Yokim stated the intent of this text amendment is to update the Florence County Comprehensive Plan to include five mixed-use zoning districts, one residential zoning district, and one special purpose district. These districts are intended to enhance our current zoning ordinance by providing a more diverse selection of zoning districts. This ordinance and Ordinance 21-2023/24 are companion ordinances. They are both related to the Gateway 76 Project. Shawn Brashear and his staff, the Planning Commission, and a study committee been working on this project for several months. This Ordinance amends the Comprehensive Plan and Ordinance No. 21-2023/24 amends the zoning ordinance itself. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

ORDINANCE NO. 21-2023/24- SECOND READING
The Clerk published the title of the Ordinance. An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE I. – ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY, And ARTICLE II. – ZONING DISTRICT REGULATIONS, And ARTICLE X. – DEFINITIONS; And Other Matters Related Thereto. (Planning Commission approved 7 to 0). Councilman Moore made the motion and Councilman Mumford seconded. Mr. Yokim stated with his addition comments to the previous ordinance, Mr. Ernie Bowman, with Toole Design Incorporated is present if Council has questions about the proposed zoning in the Gateway area. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

ORDINANCE NO. 22-2023/24- SECOND READING
Councilman Schofield made the motion and Councilman Mumford seconded. Mr. Yokim stated this map amendment was requested by Florence County. The subject properties are currently unzoned with current uses consisting primarily of residential. Subject properties are surrounded by vacant, residential, and the City of Florence zoning. The parcels are located in the Williamsburg Circle Community and they requested the zoning. The motion was approved unanimously by the members present. Councilman Caudle recused himself from the vote because of the nature of his business. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

ORDINANCE NO. 23-2023/24-SECOND READING
The Clerk published the title of the Ordinance. An Ordinance To Change The Zoning Designation From R-3 Single Family Residential To R-3A Single Family Residential Consisting Of The Following Property As It Is Reflected On The Tax Maps As: 90125-02-004, 90125-02-005, 90125-02-006, 90125-02-007, 90125-03-001, 90125-03-002, 90125-03-003, 90125-03-004, 90125-03-005, 90125-03-006, 90125-03-007, 90125-03-008, 90125-03-009, 90125-03-010, 90125-03-011, 90125-03-012, 90125-03-013, 90125-03-014, 90125-03-015, 90125-03-016, 90125-03-017, 90125-03-018, 90125-03-019, 90125-03-020, 90125-03-021; And Other Matters Related Thereto. (Planning Commission Approved 7 to 0; Council District 7). Councilman Mumford made the motion and Councilman Moore seconded. Mr. Yokim stated this was one parcel from the Williamsburg Circle Community that was already zoned. We are changing the zoning designation from R-3 to R-3A to match the zoning in previous ordinance. The motion was approved unanimously by the members present. Councilman Caudle recused himself from the vote. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

ORDINANCE NO. 24-2023/24-SECOND READING
The Clerk published the title of the Ordinance. An Ordinance To Change The Zoning Designation For A Portion Of The Property Of Tax Map Number 70007, Block 02, Parcel 001 Located At The Intersection of W. Smith Street And W. Market Street, Timmonsville, SC From R-3 Single Family Residential To B-3 General Commercial; And Other Matters Related Thereto. (Planning Commission Approved 7 to 0; Council District 4). Vice-Chairman Yarborough made the motion and Councilman Moore seconded. Mr. Yokim stated this map amendment was requested by CDP Timmonsville 2, LLC. The subject project property is currently zoned R-3 Single Family Residential and B-3 General and Commercial with the current use being vacant. In effect, the parcel is split-zoned. Surrounding land uses consist of vacant, residential, and commercial. A letter was received from the Town of Timmonsville concurring with the zoning. The motion was approved unanimously by the members present. Councilman Caudle recused himself from the vote.
Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

**ORDINANCE NO. 25-2023/24 SECOND READING**
The Clerk published the title of the Ordinance. An Ordinance To Amend Florence County Code Of Ordinances Section 23-11(a) To Increase The Fee To Be Collected For Campground Sites In Florence County And Other Matters Relating Thereto. Councilman Caudle made the motion and Vice-Chairman Yarborough seconded. Mr. Yokim stated County Council adopted Ordinance No. 7-1981/82, which established the fee for campground sites. County Council approved a campground fee increase on March 15, 2018 to $20. The fees have not increased for a period of five years. The Recreation Commission has approved an increase to the campground fees during their last meeting, to increase the fee to $50. Florence County Code requires County Council approval for an increase in fees. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

**ORDINANCE NO. 26-2023/24 (By Title Only) INTRODUCED**
The Clerk published the title of the Ordinance. An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III- CONDITIONAL USE REGULATIONS, Sec. 30-111(6)(d) Mining And Extraction Operations; And Chapter 30- ZONING ORDINANCE, ARTICLE II.-ZONING DISTRICT REGULATIONS, Sec. 30-29- Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Business & Rural Districts; Sec. 30-117-30-120. Reserved; And Other Matters Related Thereto.

**ORDINANCE NO. 27-2023/24 (By Title Only) INTRODUCED**
The Clerk published the title of the Ordinance. An Ordinance To Declare Approximately 15.12 Acres More Or Less As Surplus Property Located On North Koppers Road, Florence, South Carolina Identified By Tax Map Number 00176-01-013 And To Authorize The Sale Of Said Approximately 15.12 Acres More Or Less Located On North Koppers Road, Florence, South Carolina In The Amount Of One Hundred Eighty-One Thousand And Four Hundred Forty Dollars ($181,440) To Russell Poston, And Other Matters Relating Thereto.

**ORDINANCE NO. 28-2023/24 (By Title Only) INTRODUCED**
The Clerk published the title of the Ordinance. An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina, As Amended, An Amendment To That Certain Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Florence County, South Carolina And Project Mallard; And To Enter Into A Manufacturing Site Ground Lease Agreement Authorizing The Demise And Lease Of Certain Real Property To The Sponsor; And Addressing Other Related Matters.
BOARDS & COMMISSIONS:

COUNCIL DISTRICT 5
Council Is Requested To Approve The Reappointments Of The Individuals Representing District 5 On The Boards And Commissions With The Appropriate Expiration Terms.

1. Lynn Kelly- Board Of Assessment Appeals
2. Craig Floyd- Board Of Zoning Appeals
3. Bruce Jernigan- Construction Board Of Adjustment And Appeals
4. J. Rene Josey- Pee Dee Regional Airport Authority
5. David Rast- Policy Commission On Recreation

Councilman Caudle made the motion and Councilman Poston seconded. The motion was approved unanimously by all of the members present.

REPORTS TO COUNCIL:
Mr. Yokim provided updates on projects.

Capital Project Sales Tax II:
Roughfork Street Sidewalk Project – The sidewalk acquisition issues continue to be reviewed.

Capital Project Sales Tax III:
District 1 – All projects are currently being reviewed and scheduled for future delivery. The contract with Goodson Construction for the Lake City Park expansion is near completion pending excavated soil.
District 2- Bid 12-23/24 - MBC Stone for 10 roads is under construction and slated for completion soon. Nine of the ten roads are complete and include Barnhill, Little Farm, Beckworth, Bush, Salem, Cooper Circle, Sandstone, Bazen, Jeffords Lane, and E. Williams.
District 3 - The Foxcroft neighborhood should be under construction soon and it was added to bid with Chipley Company via a change order. Roads include Merioneth, Harborough Court, Edenderry Way, Somerset Place, Chippenham Lane, Chatham Place, Bayberry Circle, Windover Road, and Beechwood.
District 4 - Future projects are currently being reviewed and scheduled for future delivery. Dirt-to-pave projects are being prepared for bidding and include Bob White Lane and Old Middle Road. Hill Street drainage study is complete and seeking project funding. The Deer Road water line extension project design is underway.
District 5 - Bid 22-23/24 was for four (4) dirt-to-pave roads: Hemlock, Rainbow, Baldwin, and Mary roads.
District 6 - Bid 22-23/24 was for one dirt-to-pave road: Wickerwood Road.
District 7 - Bid 23-22/23 resurfacing project is substantially complete. Roads include Lazy Ln., Regent St., Chancery Ln., Drury Ln., and York Dr. Punch list items remain.
**District 8** - Bid 24-22/23 resurfacing is under construction. Roads include Calvin Cir., Effies Ln., S. Thomas Rd., Regency Ct., S. Bishop Dr., Vespers Ct., Chancery Ct., and Eleanor Drive. District 8 & 9 – Lee Lane has been approved via Change Order to Bid 24. This road is substantially complete.

**District 9** - All projects are being reviewed and scheduled for future delivery. Davis & Floyd is working on a resurfacing package for roads in the Monticello Neighborhood.

According to CPST III Engineer Todd Warren, 133 of 289 District projects have been completed and there are 36 projects under construction.

**Environmental Services:**
Miles of road cleaned- 16.7 miles
Pounds of trash removed – 7,068lbs
28 citations were written for litter

**Emergency Management:**
Radio System:
Johnsonville Tower Site: Still waiting on Johnsonville Water to tap the water for the water line move. November 8th, CIPOV (Motorola contractor) had their contractor drill the soil to do soil testing, should know the results within a week of soil testing.

**Voter Registration:**
Election Commission: Democratic Primary is February 3, 2024, Republican Primary is February 24, 2024.

**MONTHLY REPORTS**
Monthly Financial Reports Are Provided To Council For Fiscal Year 2023 Through October 31, 2023, As An Item For The Record.

**2024 CALENDAR OF MEETING DATES & OFFICIAL HOLIDAYS**
Council Is Asked To Approve The 2024 Calendar Of Meeting Dates And Official County Holidays. Councilman Caudle made the motion and Councilman Poston seconded. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

**VISION-MISSION-VALUES STATEMENT**
Council Is Asked To Approve And Adopt The Vision-Mission-Values Statement For Florence County. Councilman Caudle made the motion and Councilman Poston seconded. Mr. Yokim stated Council had a retreat on November 9, 2023 at the Francis Marion University Freshwater Ecology Center discussing numerous topics. At the Retreat, Council agreed to adopt the Vision-Mission-Values Statement. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for
Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

OLANTA RURAL FIRE DEPARTMENT - RFP No. 16-23/24
Council Is Asked To Award RFP No. 16-23/24, Design/Build Services For The New Olanta Rural Fire Station To Gilbert Construction Of Florence, SC To Be Funded From CPST III Funds And Authorize The County Administrator To Execute A Contract Pending Successful Negotiations. Vice-Chairman Yarborough made the motion and Councilman Mumford seconded. Mr. Yokim stated the RFP was advertised in the South Carolina Opportunities (SCBO) Newsletter on October 9, 2023. Four proposals were received on November 2, 2023. The selection committee (Chief David Floyd, Chief Jimmy Coker, Sam Brockington, and Shawn Brashear) recommends awarding the contract to Gilbert Construction Co., LTD of Florence, SC. Council approval includes authorization for the County Administrator to negotiate a final cost and to execute all associated documents and contract agreements to proceed, pending County Attorney review and approval. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

JOHNSONVILLE EMS - RFP NO. 18-23/24
Council Is Asked To Award RFP No. 18-23/24, Design/Build Services - New Johnsonville EMS Station To Gilbert Construction Of Florence, SC From CPST III Funds And Authorize The County Administrator To Execute A Contract Pending Successful Negotiations. Councilman Poston made the motion and Councilman Moore seconded. Mr. Yokim stated RFP No. 18-23/24 was advertised on the Vendor Registry and in the South Carolina Business Opportunities Newsletter on October 20, 2023. Three proposals were received on November 9, 2023. The selection committee (Shannon Munoz, Barrott Dowdy, Joshua Hatchell, and Shawn Brashear) recommends awarding the contract to Gilbert Construction. Council approval includes authorization for the County Administrator to negotiate a final cost and to execute all associated documents and contract agreements to proceed, pending County Attorney review and approval. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

WEST FLORENCE FIRE DEPARTMENT - RFP NO. 19-23/24
Council Is Asked To Award RFP No. 19-23/24, Design/Build Services - Additions To West Florence Fire Station No. 2 To Gilbert Construction Of Florence, SC From CPST III Funds And Authorize The County Administrator To Execute A Contract Pending Successful Negotiations. Vice-Chairman Yarborough made the motion and Councilman Caudle seconded. Mr. Yokim stated RFP No. 19-23/24 was advertised on the Vendor Registry and in the South Carolina Business Opportunities Newsletter on October 19,
Three proposals were received on November 6, 2023. The selection committee (Shannon Munoz, Chief Worrell, Shawn Brashear, and Sam Brockington) recommends awarding the contract to Gilbert Construction. Council approval includes authorization for the County Administrator to negotiate a final cost and to execute all associated documents and contract agreements to proceed, pending County Attorney review and approval. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

**SARDIS-TIMMONSVILLE FIRE DEPARTMENT- RFP NO. 20-23/24**

Council is asked to award RFP No. 20-23/24, Design/Build Services – Additions To Sardis-Timmonsville Fire Station No. 2 To Design Build Construction, LLC Of Ladson, SC From CPST III Funds And Authorize The County Administrator To Execute A Contract Pending Successful Negotiations. Vice-Chairman Yarborough made the motion and Councilman Schofield seconded. Mr. Yokim stated RFP No. 20-23/24 was advertised on the Vendor Registry and in the South Carolina Business Opportunities Newsletter on October 13, 2023. Three proposals were received on November 2, 2023. The selection committee (Shannon Munoz, Chief Dennis, Shawn Brashear, and Sam Brockington) recommends awarding the contract to Design Build Construction, LLC. Council approval includes authorization for the County Administrator to negotiate a final cost and to execute all associated documents and contract agreements to proceed, pending County Attorney review and approval. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

**DECLARATION OF SURPLUS PROPERTY**

Council is asked to declare one (1) Chevrolet Silverado 1500 Surplus Property For Disposal Through Public Internet Auction Via GovDeals Or GovWorld. Councilman Moore made the motion and Vice-Chairman Yarborough seconded. Mr. Yokim stated the unit is obsolete to the using department. The disposal will not impact on-going operations. Florence County Code requires County Council approval for disposal of surplus property. The motion was approved unanimously by all of the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

**DECLARATION OF SURPLUS PROPERTY**

Council is asked to declare one (1) 1994 Emergency One/Freightliner Pumper (VIN: 1FV6JLCBXRL452639) As Surplus Property To Be Sold By The Most Advantageous Method With Funds To Be Placed In Fund 37 To Be Utilized By West Florence Fire Department. Vice-Chairman Yarborough made the motion and Councilman Caudle seconded. Mr. Yokim stated the Freightliner Pumper service truck is obsolete to the West Florence Fire Department and will be replaced by a CPST III funded pumper. The disposal
of the above-stated item will not impact ongoing operations. The Unified Fire District Board approved the item Surplus at their April 2022 meeting. Florence County Code requires County Council approval for disposal of surplus property. The motion was approved unanimously by all of the members present. (The Proxy is attached and incorporated by reference.)

OTHER BUSINESS:

TOWN OF PAMPLICO
Council Is Requested To Approve The Reimbursement To The Town Of Pamplico For The Payment To Pee Dee Building Systems LLC, In The Amount Of Sixteen Thousand Dollars ($16,000.00) For Their Water/Sewer System From Council District 2 Infrastructure Funding Allocations. Councilman Poston made the motion and Councilman Moore seconded. The motion was approved unanimously by all of the members present.

EXECUTIVE SESSION:
Pursuant To The South Carolina Code Of Laws 1976, As Amended To Discuss

Councilman Caudle made the motion and Councilman Schofield seconded. The motion was approved unanimously by all the members present.

Council entered into an executive session at 10:00 A.M.
Council reconvened at 10:42 A.M.

Chairman Dorriety stated no action was taken in Executive Session.

Councilman Poston announced that he will not seek re-election for his district.

ADJOURN:
There being no further business to come before Council, Vice-Chairman Yarborough made a motion to adjourn and Councilman Mumford seconded, which was approved unanimously.

COUNCIL MEETING ADJOURNED AT 10:45 A.M.
STATE OF SOUTH CAROLINA )  PROXY
COUNTY OF FLORENCE )

I hereby leave my voting proxy for the question of Approval of the Minutes: Council is requested to approve the minutes of November 16, 2023, Regular Meeting Of County Council; at the regular meeting of County Council on December 14, 2023, with County Council Member [insert name]... This proxy is for a "YES" vote on the question of Approval of the Minutes – November 16, 2023.

WITNESSES:

STATE OF SOUTH CAROLINA )  PROBATE
COUNTY OF FLORENCE )

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

SWORN to before me this 14th day of December, 2023.

Witness

NOTARY PUBLIC (S.C.)
My Commission Expires 5/1/2024
STATE OF SOUTH CAROLINA   )
COUNTY OF FLORENCE    ) PROXY

I hereby leave my voting proxy for the question of Approval of the Resolution of Recognition: A Resolution For The 2023 Miracle League Of Florence County All-Star Players; at the regular meeting of County Council on December 14, 2023, with County Council Member Pastor. This proxy is for a “YES” vote on the question of Approval of the Resolution of Recognition.

WITNESSES:

[Signatures]

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signatures]

SWORN to before me this 14th day of December, 2023.

[Signature]

NOTARY PUBLIC (S.C.)
My Commission Expires 3/7/04
I hereby leave my voting proxy for the question of Approval of the Resolution No. 11-2023/24: A Resolution For The Cancellation And Termination Of Declaration Of Covenants, Conditions, Restrictions And Easements For Godley Morris Commerce Center, Lake City, South Carolina; at the regular meeting of County Council on December 14, 2023, with County Council Member. This proxy is for a "YES" vote on the question of Approval of the Resolution No. 11-2023/24.

WITNESSES:

[Signatures]

STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE )

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

SWORN to before me this 1st day of December, 2023.

[Signature]
NOTARY PUBLIC (S.C.)
My Commission Expires 5/1/2024
STATE OF SOUTH CAROLINA )                
COUNTY OF FLORENCE )                

PROXY

I hereby leave my voting proxy for the question of Approval of the Resolution No. 12-2023/24; A Resolution To Rescind Resolution No. 23-2021/22 Approved By Council On February 17, 2022.; at the regular meeting of County Council on December 14, 2023, with County Council Member Pasion. This proxy is for a "YES" vote on the question of Approval of the Resolution No. 12-2023/24.

Jason M. Springs
Member, Florence County Council

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

Tynisha Meirle
Witness

SWORN to before me this 16th day of December, 2023.

John M. Jones
NOTARY PUBLIC (S.C.)
My Commission Expires 5/4/204
I hereby leave my voting proxy for the question of **Approval of Ordinance No. 19-2023/24; An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT; And Other Matters Related Thereto, at the regular meeting of County Council on December 14, 2023, with County Council Member [name]. This proxy is for a “YES” vote on the question of **Approval of Ordinance No. 19-2023/24 Second Reading**.

**WITNESSES:**

- [Name 1]
- [Name 2]

**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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

**SWORN to before me this 1st day of December, 2023**

**NOTARY PUBLIC (S.C.)**
My Commission Expires 5/7/24
PROXY

I hereby leave my voting proxy for the question of Approval of Ordinance No. 20-2023/24: An Ordinance For Text Amendments To The Existing County “LAND USE” Section and Future County, “Land Use And Growth” Section Of The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan; And Other Matters Related Thereto at the regular meeting of County Council on December 14, 2023, with County Council Member [Signature], This proxy is for a “YES” vote on the question of Approval of Ordinance No. 20-2023/24 Second Reading.

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

STATE OF SOUTH CAROLINA    
COUNTY OF FLORENCE    

WITNESSES:

[Signature]

Member, Florence County Council

SWORN to before me this 12th day of December, 2023

NOTARY PUBLIC (S.C.)
My Commission Expires 5/1/24
STATE OF SOUTH CAROLINA )  
COUNTY OF FLORENCE )

PROXY

I hereby leave my voting proxy for the question of Approval of Ordinance No. 21-2023/24; An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE I. - ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY, And ARTICLE II. - ZONING DISTRICT REGULATIONS, And ARTICLE X. - DEFINITIONS; And Other Matters Related Thereto, at the regular meeting of County Council on December 14, 2023, with County Council Member POSTON. This proxy is for a "YES" vote on the question of Approval of Ordinance No. 21-2023/24 Second Reading.

[Signature]
Jason M. Springs  
Member, Florence County Council

WITNESSES:

[Signature]
Tyreshia Merrill

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signature]
Tyreshia Merrill

SWORN to before me this 14th day of December, 2023.

[Signature]
Jason M. Jones

NOTARY PUBLIC (S.C.)
My Commission Expires 5/7/24
STATE OF SOUTH CAROLINA    
COUNTY OF FLORENCE

PROXY

I hereby leave my voting proxy for the question of Approval of Ordinance No. 22-2023/24: An Ordinance To Change The Zoning Designation From Unzoned To R-3A Single Family Residential Consisting Of The Following Properties As They Are Reflected On The Tax Maps As: 00175-01-029, 00175-01-030, 00175-01-031, 09125-01-001, 09125-01-002, 09125-01-003, 09125-01-004, 09125-01-005, 09125-01-006, 09125-01-007, 09125-01-008, 09125-01-009, 09125-01-010, 09125-01-011, 09125-01-012, 09125-01-013, 09125-01-014, 09125-01-015, 09125-01-016, 09125-01-017, 09125-01-018, 09125-01-019, 09125-01-020, 09125-01-021, 09125-01-022, 09125-01-023, 09125-01-024, 09125-01-025, 09125-01-026, 09125-01-027, 09125-01-028, 09125-01-029, 09125-02-001, 09125-02-002, 09125-02-003, 09125-02-004, 09125-02-005, 09125-02-006, 09125-02-007, 09125-03-001, 09125-03-002, 09125-03-003, 09125-03-004, 09125-03-005, 09125-03-006, 09125-03-007, 09125-03-008, 09125-03-009, 09125-03-010, 09125-03-011, 09125-03-012, 09125-03-013, 09125-03-014, 09125-03-015, 09125-03-016, 09125-03-017, 09125-03-018, 09125-03-019, 09125-03-020, 09125-03-021; And Other Matters Related Thereto. at the regular meeting of County Council on December 14, 2023, with County Council Member Pastor. This proxy is for a "YES" vote on the question of Approval of Ordinance No. 22-2023/24 Second Reading.

JASON M. SPRINGS
Member, Florence County Council

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

Tynericka Merrill
Witness

SWORN to before me this 14th day of December, 2023.

NOTARY PUBLIC (S.C.)
My Commission Expires 5/1/24
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE )

PROXY

I hereby leave my voting proxy for the question of Approval of Ordinance No. 23-2023/24: An Ordinance To Change The Zoning Designation From R-3 Single Family Residential To R-3A Single Family Residential Consisting Of The Following Property As It Is Reflected On The Tax Maps As: 90125-01-048; And Other Matters Related Thereto, at the regular meeting of County Council on December 14, 2023, with County Council Member Poston. This proxy is for a "YES" vote on the question of Approval of Ordinance No. 23-2023/24 Second Reading.

Jason M. Springs
Member, Florence County Council

WITNESSES:

Tyrone Minor

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

Tyrone Minor

SWORN to before me this 14th day of December 2023.

Joe M. Jones
NOTARY PUBLIC (S.C.)
My Commission Expires 5/1/24
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE )

PROXY

I hereby leave my voting proxy for the question of Approval of Ordinance No. 24-2023/24; An Ordinance To Change The Zoning Designation For A Portion Of The Property Of Tax Map Number 70007, Block 02, Parcel 001 Located At The Intersection of W. Smith Street And W. Market Street, Timmonsville, SC From R-3 Single Family Residential To B-3 General Commercial; And Other Matters Related Thereto. at the regular meeting of County Council on December 14, 2023, with County Council Member. This proxy is for a “YES” vote on the question of Approval of Ordinance No. 24-2023/24 Second Reading.

[Signature]
Jason M. Springs
Member, Florence County Council

WITNESSES:

[Signature]
Jason M. Springs
Member, Florence County Council

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signature]
Jason M. Springs
Member, Florence County Council

SWORN to before me this 14th day of December, 2023

[Signature]
My Commission Expires 5/7/24

NOTARY PUBLIC (S.C.)
STATE OF SOUTH CAROLINA 
COUNTY OF FLORENCE 

PROXY

I hereby leave my voting proxy for the question of Approval of 2024 Calendar of Meeting Dates & Official Holidays: Council Is Asked To Approve The 2024 Calendar Of Meeting Dates And Official County Holidays. at the regular meeting of County Council on December 14, 2023, with County Council Member. This proxy is for a “YES” vote on the question of Approval of 2024 Calendar of Meeting Dates & Official Holidays.

[Signature]

Jason M. Springs
Member, Florence County Council

WITNESSES:

[Signature]

[Tynera Mewd]

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signature]

Witness

[Signature]

Tynera Mewd

NOTARY PUBLIC (S.C.)
My Commission Expires 5/14/24
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE )

PROXY

I hereby leave my voting proxy for the question of **Approval of Vision – Mission– Values Statement**: Council Is Asked To Approve And Adopt The Vision-Mission-Values Statement For Florence County. **at the regular meeting of County Council on December 14, 2023**, with County Council Member __________. This proxy is for a **"YES"** vote on the question of **Approval of Vision-Mission-Values Statement**.

Jason M. Springs  
Member, Florence County Council

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 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  
14th day of December, 2023.

__________________________

NOTARY PUBLIC (S.C.)  
My Commission Expires ____________________
STATE OF SOUTH CAROLINA  )
COUNTY OF FLORENCE     )

PROXY

I hereby leave my voting proxy for the question of Approval of Olanta Rural Fire Department RFP No. 16-23/24; Council Is Asked To Award RFP No. 16-23/24, Design/Build Services For The New Olanta Rural Fire Station to Gilbert Construction Of Florence, SC To Be Funded From CPST III Funds And Authorize The County Administrator To Execute A Contract Pending Successful Negotiations, at the regular meeting of County Council on December 14, 2023, with County Council Member Jason M. Springs. This proxy is for a “YES” vote on the question of Approval of Olanta Rural Fire Department RFP No. 16-23/24.

WITNESSES:

Jason M. Springs
Member, Florence County Council

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

Wit

Witness

SWORN to before me this 14th day of December, 2023

[Signature]

NOTARY PUBLIC (S.C.)
My Commission Expires 5/17/24
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE   )

PROXY

I hereby leave my voting proxy for the question of Approval of Johnsonville EMS- RFP No. 18-23/24; Council Is Asked To Award RFP No. 18-23/24, Design/Build Services - New Johnsonville EMS Station To Gilbert Construction Of Florence, SC From CPST III Funds And Authorize The County Administrator To Procure Contract Pricing On Successful Negotiations. at the regular meeting of County Council on December 14, 2023, with County Council Member . This proxy is for a “YES” vote on the question of Approval of Johnsonville EMS- RFP No. 18-23/24.

Jason M. Springs
Member, Florence County Council

WITNESSES:

[Signatures]

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signature]
Witness

SWORN to before me this 14th day of December, 2023

[Signature]
Notary Public (S.C.)
My Commission Expires 5/7/2024
STATE OF SOUTH CAROLINA )
) COUNTY OF FLORENCE )

I hereby leave my voting proxy for the question of Approval of West Florence Fire Department - RFP No. 19-23/24: Council Is Asked To Award RFP No. 19-23/24, Design/Build Services - Additions To West Florence Fire Station No. 2 To Gilbert Construction Of Florence, SC From CPST III Funds And Authorize The County Administrator To Execute A Contract Pending Successful Negotiations. at the regular meeting of County Council on December 14, 2023, with County Council Member . This proxy is for a “YES” vote on the question of Approval of West Florence Fire Department – RFP No. 19-23/24.

Witnesses:

Jason M. Springs
Member, Florence County Council

STATE OF SOUTH CAROLINA )
) COUNTY OF FLORENCE )

PERSONALLY APPEARED, the undersigned witnessed and made oath that (s) he saw the within named Jason M. Springs, sign and as his 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 14th day of December 2023

Notary Public (S.C.)
My Commission Expires 5/17/24
STATE OF SOUTH CAROLINA  )
COUNTY OF FLORENCE    )

I hereby leave my voting proxy for the question of **Approval of Sardis Timmonsville Fire Department—RFP No. 20-23/24;** Council Is Asked To Award RFP No. 20-23/24, Design/Build Services – Additions To Sardis-Timmonsville Fire Station No. 2 To Design Build Construction, LLC Of Ladson, SC From CPST III Funds And Authorize The County Administrator To Execute A Contract Pending Successful Negotiations, **at the regular meeting of County Council on December 14, 2023, with County Council Member [Poston]**. This proxy is for a “YES” vote on the question of **Approval of Sardis Timmonsville Fire Department—RFP No. 20-23/24.**

Jason M. Springs  
Member, Florence County Council

WITNESSES:

Tynisha Merrill

STATE OF SOUTH CAROLINA  )
COUNTY OF FLORENCE    )

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

Tynisha Merrill
Witness

SWORN to before me this  
14th day of December, 2023

John M. Adams
NOTARY PUBLIC (S.C.)
My Commission Expires 5/1/24
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE )

PROXY

I hereby leave my voting proxy for the question of Approval of Declaration of Surplus Property: Council Is Asked To Declare One (1) Chevrolet Silverado 1500 Surplus Property For Disposal Through Public Internet Auction Via GovDeals Or GovWorld. at the regular meeting of County Council on December 14, 2023, with County Council Member [Signature]. This proxy is for a "YES" vote on the question of Approval of Declaration of Surplus Property - Chevrolet Silverado 1500.

[Signature]
Jason M. Springs
Member, Florence County Council

WITNESSES:

[Signature]
Tynaisha Merrill

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signature]
Tynaisha Merrill
Witness

SWORN to before me this 14th day of December, 2023.

[Signature]
Olive M. Jones
NOTARY PUBLIC (S.C.)
My Commission Expires 5/1/24
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE ) PROXY

I hereby leave my voting proxy for the question of Approval of Declaration of Surplus Property: Council Is Asked To Declare One (1) 1994 Emergency One/Freightliner Pumper (VIN: 1FV6JLCBXRL452639) As Surplus Property To Be Sold By The Most Advantageous Method With Funds To Be Placed In Fund 37 To Be Utilized By West Florence Fire Department. at the regular meeting of County Council on December 14, 2023, with County Council Member . This proxy is for a “YES” vote on the question of Approval of the Declaration of Surplus Property- UFD Pumper.

Witnesses:

Jason M. Springs
Member, Florence County Council

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 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 14th day of December, 2023.

NOTARY PUBLIC (S.C.)
My Commission Expires 5/17/24
AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Council Is Requested To Approve The Minutes Of January 4, 2024, Special Called Meeting Of County Council.

OPTIONS:
1. (Recommend) Approve as presented.
2. Approve with corrections or additions.

ATTACHMENTS:
A copy of minutes from the January 4, 2024, meeting.
SPECIAL CALLED MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, JANUARY 4, 2024 9:00 A.M., COUNTY COMPLEX, COUNCIL,
CHAMBERS, ROOM 803 FLORENCE, SOUTH CAROLINA

PRESENT:
Willard Dorriety, Jr., Chairman
Waymon Mumford, Secretary/ Chaplain
Kent C. Caudle, Council Member
Jerry W. Yarborough, Jr., Vice-Chairman
Roger Poston, Council Member
Stoney “Toney” C. Moore, Council Member
C. William Schofield, Councilmember
Kevin Yokim, County Administrator
D. Malloy McEachin, Jr., County Attorney
Hope M. Jones, Clerk to Council

ABSENT:
Dr. Alphonso Bradley, Council Member
Jason M. Springs, Council Member (voted by proxy)

ALSO PRESENT:
Gregg Robinson, CEO of Florence County Economic Development
Shannon Munoz, Deputy Administrator
Shawn Brashear, Planning & Codes Enforcement Director
Jamie Floyd, Tax Assessor
Nathan Dawsey, Parks & Recreation Director
Sam Brockington, Fire/ Rescue Coordinator
Ashley Davison, Finance Director
Steve Allen, Public Works Director
Tonya Brown, WPDE News Reporter

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, 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). The Council meeting was made available via livestream at
www.florenceco.org, and archived on the County website.

CALL TO ORDER/INVOCATION/PLEDGE/WELCOME:
Chairman Dorriety called the meeting to order. Councilman Mumford, Secretary/
Chaplain, provided the invocation and Vice-Chairman Yarborough led the Pledge of
Allegiance to the American Flag. Chairman Dorriety welcomed everyone attending the
meeting.
ORDINANCES IN POSITON:

ORDINANCE NO. 26-2023/24-SECOND READING
The Clerk published the title of the Ordinance. An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III- CONDITIONAL USE REGULATIONS, Sec. 30-111(6)(d) Mining And Extraction Operations; And Chapter 30- ZONING ORDINANCE; ARTICLE II- ZONING DISTRICT REGULATIONS, Sec. 30-29- Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Business & Rural Districts; Sec. 30-117-30-120. Reserved; And Other Matters Related Thereto. Vice-Chairman Yarborough made the motion and Councilman Schofield seconded. Mr. Yokim stated that this is an Ordinance to amend the existing Ordinance as it relates to mines; this will be on the agenda for the January 18, 2024 meeting for the third reading and we will ask Council to defer it at the meeting to give time for Mr. Brashear and his staff to meet with The Planning Commission to discuss the Ordinance. Councilman Caudle inquired how it relates to Article II- when it talks about the schedule of permitted and conditional uses and off-street parking requirements. Councilman Caudle asked if it was part of the same ordinance or section. Mr. Brashear responded that it is the title of the section of the code that it references. The motion was approved unanimously by all the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

ORDINANCE NO. 27-2023/24-SECOND READING
An Ordinance To Declare Approximately 15.12 Acres More Or Less As Surplus Property Located On North Koppers Road, Florence, South Carolina Identified By Tax Map Number 00176-01-013 And To Authorize The Sale Of Said Approximately 15.12 Acres More Or Less Located On North Koppers Road, Florence, South Carolina In The Amount Of One Hundred Eighty-One Thousand And Four Hundred Forty Dollars ($181,440) To Russell Poston, And Other Matters Relating Thereto. Councilman Moore made the motion and Councilman Caudle seconded. Mr. Yokim stated this is a fifteen-acre parcel of land that is currently in the Florence County Technology Park and the battery plant does not need. Mr. Robinson, CEO of Economic Development Partnership, and his staff have been in discussion with Mr. Poston. Mr. Poston owns a small local growing business that has a desire for the property and Florence County is agreeing to sell the property to him. The motion was approved unanimously by all the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

ORDINANCE NO. 28-2023/24-SECOND READING
An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, An Amendment To That Certain Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Florence County, South Carolina And AESC US LLC Project Mallard; And To Enter Into A Manufacturing Site Ground Lease Agreement Authorizing The Demise And Lease Of Certain Real Property To The Sponsor; And Addressing Other Related Matters. Councilman Mumford made the motion
and Vice-Chairman Yarborough seconded. Councilman Mumford made a motion to amend Ordinance No. 28-2023/24 to insert in the title on the fourth line after the word “And” delete “Project Mallard” and add “AESC US LLC”, Councilman Caudle seconded the motion to amend. Mr. Yokim stated that this Ordinance amends the original fee agreement with the battery plant's initial announcement. The motion to amend was approved unanimously by all the members present. The motion to approve as amended was approved unanimously by all the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote on the motion to amend and as amended. (The Proxy is attached and incorporated by reference.)

REPORTS TO COUNCIL:

DECLARATION OF SURPLUS
Council Is Asked To Approve The Declaration Of Surplus Timber Located On Land Owned By Florence County (TMP 00240-01-007) And For The County Administrator To Enter Into A Contract For Disposal That Will Be Most Advantageous To The County. Councilman Caudle made the motion and Councilman Poston seconded. Mr. Yokim stated that this is approximately ten acres of timber on the eighty acres the County purchased for Florence County Technology Park. The ten acres is where the AESC Training Facility will be built and owned by the State but the first step in the process is to declare the timber surplus so the land can be cleared and the County is doing that to accelerate the construction of the building. The motion was approved unanimously by all the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

OTHER BUSINESS:

COUNCIL DISTRICT 9
Council Is Requested To Approve The Expenditure Of Not To Exceed $176,026.96 From Council District 9 Infrastructure ($88,013.48) And RSMF ($88,013.48) Allocation Funding To Pave Random Lane And To Approve A Change Order Adding Random Lane To Bid No. 24-2022/23. Vice-Chairman Yarborough made the motion and Councilman Caudle seconded. The motion was approved unanimously by all the members present. Councilman Poston submitted a Proxy for Councilman Springs with a “YES” vote. (The Proxy is attached and incorporated by reference.)

ADJOURN:
There being no further business to come before Council, Vice Chairman Yarborough made a motion to adjourn. Councilman Schofield seconded the motion, which was approved unanimously.

COUNCIL MEETING ADJOURNED AT 9:11 A.M.
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE )

PROXY

I hereby leave my voting proxy for the question of Approval of Second Reading of Ordinance No. 26-2023/24; An Ordinance for text amendments to the Florence County Code of Ordinances, Chapter 30, Zoning Ordinance, Article III- Conditional Use Regulations, Sec. 30-111(6)(d) Mining and extraction operations; And Chapter 30- Zoning Ordinance, Article II- Zoning district regulations, Sec. 30-29 Table II: Schedule of permitted and conditional uses and off-street parking requirements for business & rural districts: Sec. 30-117-30-120. Reserved; and other matters related thereto, at the Special Called meeting of County Council on January 4, 2024, with County Council Member ______, This proxy is for a “YES” vote on the question of Approval of the Second Reading of the Ordinance No. 26-2023/24.

Jason M. Springs
Member, Florence County Council

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 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 4th day of January 2024

NOTARY PUBLIC (S.C.)
My Commission Expires March 7, 2024
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE )

PROXY

I hereby leave my voting proxy for the question of Approval of Second Reading of Ordinance No. 27-2023/24; An ordinance to declare approximately 15.12 acres more or less as surplus property located on North Koppers Road, Florence, South Carolina Identified by tax map number 00176-01-013 and to authorize the sale of said approximately 15.12 acres more or less located on North Koppers Road, Florence, South Carolina in the amount of one hundred eighty-one thousand and four hundred forty dollars ($181,440) to Russell Poston, and other matters related thereto, at the Special Called meeting of County Council on January 4, 2024, with County Council Member _______________. This proxy is for a “YES” vote on the question of Approval of the Second Reading of Ordinance No. 27-2023/24.

[Signature]
Jason M. Springs
Member, Florence County Council

WITNESSES:

[Signature]
[Signature]

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signature]
Witness

SWORN to before me this ______ day of January, 2024

[Signature]
NOTARY PUBLIC (S.C.)
My Commission Expires 5/7/2024
STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

PROXY

I hereby leave my voting proxy for the question of Approval of the Second Reading of Ordinance No. 28-2023/24; An ordinance authorizing pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, an amendment to that certain fee in lieu of ad valorem taxes agreement, by and between Florence County, South Carolina and AESC US LLC Project Mallard; and to enter into a manufacturing site ground lease agreement authorizing the demise and lease of certain real property to the Sponsor; and addressing other matters related thereto, at the Special Called meeting of County Council on January 4, 2024, with County Council Member _______. This proxy is for a “YES” vote on the question of Approval of the Second Reading of Ordinance No. 28-2023/24 for the motion to amend and as amended.

[Signature]
Jason M. Springs
Member, Florence County Council

WITNESSES:

[Signature]
Hope M. Jones

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signature]
Witness

SWORN to before me this day of January, 2024

[Signature]
NOTARY PUBLIC (S.C.)
My Commission Expires May 7, 2024
STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

PROXY

I hereby leave my voting proxy for the question of under Reports to Council; Declaration of Surplus: Council is asked to approve the declaration of surplus timber located on land owned by Florence County TMP 00240-01-007 and for the County Administrator to enter into a contract for disposal that will be most advantageous to the County, at the Special Called meeting of County Council on January 4, 2024, with County Council Member [Name]. This proxy is for a "YES" vote on the question of Approval of Declaration of Surplus (Surplus Timber).

WITNESSES:

[Signatures]

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 act and deed, deliver the within PROXY, and that deponent, with the other witness subscribed above, witnessed the execution thereof.

[Signature]

SWORN to before me this 4th day of January 2024.

[Signature]

NOTARY PUBLIC (S.C.)
My Commission Expires May 7, 2024
STATE OF SOUTH CAROLINA )
COUNTY OF FLORENCE )

PROXY

I hereby leave my voting proxy for the question of under Other Business; Infrastructure & RSMF Council District 9: Council is requested to approve the expenditure of not to exceed $176,026.96 from Council District 9 Infrastructure ($88,013.48) and RSMF ($88,013.48) Allocation Funding to pave Random Lane and to approve a change order adding Random Lane to Bid No. 24-2022/23, at the Special Called meeting of County Council on January 4, 2024, with County Council Member __________. This proxy is for a "YES" vote on the question of Approval of Council District 9 Infrastructure & RSMF to pave Random Lane and to approve change order adding Random Lane to Bid No. 24-2022/23.

WITNESSES:

Signed

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 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
day of January, 2024

NOTARY PUBLIC (S.C.)
My Commission Expires
AGENDA ITEM: Public Hearing (s)

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

ORDINANCE NO. 26-2023/24
An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III- CONDITIONAL USE REGULATIONS, Sec. 30-111(6)(d) Mining And Extraction Operations; And Chapter 30-ZONING ORDINANCE, ARTICLE II.- ZONING DISTRICT REGULATIONS, Sec. 30-29- Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Business & Rural Districts; Sec. 30-117-30-120. Reserved; And Other Matters Related Thereto.

ORDINANCE NO. 27-2023/24
An Ordinance To Declare Approximately 15.12 Acres More Or Less As Surplus Property Located On North Koppers Road, Florence, South Carolina Identified By Tax Map Number 00176-01-013 And To Authorize The Sale Of Said Approximately 15.12 Acres More Or Less Located On North Koppers Road, Florence, South Carolina In The Amount Of One Hundred Eighty-One Thousand And Four Hundred Forty Dollars ($181,440) To Russell Poston, And Other Matters Relating Thereto.

ORDINANCE NO. 28-2023/24
An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina, As Amended, An Amendment To That Certain Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Florence County, South Carolina And AESC US, LLC; And To Enter Into A Manufacturing Site Ground Lease Agreement Authorizing The Demise And Lease Of Certain Real Property To The Sponsor; And Addressing Other Related Matters.
AGENDA ITEM:       Appearances
                    Stephen Rietkovich

DEPARTMENT:       County Council

ISSUE UNDER CONSIDERATION:
Mr. Stephen Rietkovich Requests To Speak Before Council To Provide An Update On
The Florence Athletic Hall Of Fame Program.

ATTACHMENTS:
A copy of the email request.
From: Stephen Rietkovich <SRietkovich@Florenceco.org>
Sent: Wednesday, December 27, 2023 10:55 AM
To: Kevin Yokim <KYokim@Florenceco.org>
Subject: Florence Athletic Hall of Fame

Requesting a few minutes, 3 to 5, to appear before Florence County Council at your January meeting to provide an update on the Florence Athletic Hall of Fame program. I appeared before Council in 2004 with the start of the program.

Rocky Rietkovich, CFAHOF Board of Directors President

Disclaimer

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AGENDA ITEM:     Appearances  
                   Carolina Acres Subdivision

DEPARTMENT:       County Council

ISSUE UNDER CONSIDERATION:  
Ms. Norecer Harley Requests To Appear Before Council To Speak On Ordinance No. 22-2023/24.

ATTACHMENTS:  
A copy of the email request.
SUBJECT: Planning and Zoning

ORDINANCE: 22-2023-24

The community of Carolina Acres subdivision would like to appear before the council on January 18, 2024, concerning ordinance 22-2023-24.

Thank you,

Mrs. Harley

Attention: H. Jones
CAROLINA ACERS SUBDIVISION
CONCERNS

SUBJECT: Zoning
ORDINANCE: 22-2023-24

The Carolina Acres Community is a well-grounded neighborhood. Everyone in the community knows and respect each other. We take care of our community diligently when there are concerns.

The Planning and zoning department sent a contractor to the community to do pipe lining for the drainage that has been going on. We were told by the contractor that the entire community was going to be piped. Only the inside of Springdale Place was piped. This is a concern to our community. This was also brought up in our previous meeting at the Spaulding Center. The contractor also brought in mud dirt to cover the piping, which didn’t work. We called the Planning and Zoning department on several occasions to fix the issue. They came back with more mud dirt, which left holes around the main valve and other areas.

A mobile home was moved into our community last year around July/August. We had a meeting with Councilman Waymond Mumford and Shawn Brashear. Mr. Brashear insisted on telling the community that it was a modular home, and this is not the case. We are concern and would love for you to make a further consideration about this home in our community. Our community consists of great people. We are hard working and feel as though that we deserve the same respect as all the communities in our area.

Please consider zoning our community from any further establishment entering our community.

843- 624- 6423 Mrs. Harley

(see attached)
Zoning District Characteristics: Chapter 30 – Zoning Ordinance (Reference 30-2)

R-3A, Single-family Residential District. This district is intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.

Please refer to Florence County Code of Ordinances Chapter 30, Article II, Sec 30-28 Table 1, for a complete list of permitted uses within this district.

Below are samples of uses allowed, those not-allowed and conditional uses within this district.

Allowed Uses:

- Single Family Dwellings & Modular Homes.

Accessory Uses Allowed:


Uses Not Allowed:

- Duplexes, Triples, Quadruplexes, Multi-family dwellings, Boarding Houses, Manufactured dwellings (section 30-94 & section 30-95), Coin Operated Laundries and Dry Cleaners, Libraries, Nursing and residential care facilities.

Conditional Uses:

- Townhomes (30-91), Bed and Breakfast (30-93), Solar Panels (30.114.8), Accessory Apartments (30-97), Home Occupation Businesses (30-98), Communication towers and antennas (30-101).

Support Uses Allowed:

- Public Parks, playgrounds and Community Centers, Golf Courses, Swimming and Tennis Clubs, Elementary and Secondary Schools, Religious Organizations, Communication Transmission except towers and antennas.
main Vale

Still like this today
AGENDA ITEM: Resolution No. 14-2023/24

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
A Resolution Acknowledging The Service Of The Members Of The Board Of Directors Of The Florence County Public Facilities Corporation And Expressing The Gratitude Of The People Of Florence County For Such Service, Which Has Furthered The Health, Safety, And Prosperity Of Florence County And Other Matters Relating Thereto.

POINTS TO CONSIDER:
1. Florence County Public Facilities Corporation, a South Carolina nonprofit corporation, was established in 1990 to act on behalf of Florence County in facilitating the financing and implementation of essential capital projects in the County.
2. Over the past 30 years the Florence County Public Facilities Corporation has made possible for Florence County nearly $200 million in capital improvements, including the Florence Civic Center, the Florence County Jail and Law Enforcement Center, the Florence County Judicial Center, and other critical infrastructure for the County.
3. The Corporation is governed by a Board of Directors comprised of residents of Florence County who serve without pay; without the leadership, vision, and commitment of these volunteer Board Members, the Florence County Public Facilities Corporation would have been unable to provide such essential service to Florence County.

OPTIONS:
1. **(Recommend)** Approve as presented.
2. Provide an alternate directive.

ATTACHMENTS:
A copy of proposed Resolution No. 14-2023/24.
RESOLUTION NO. 14-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY


WHEREAS, the Florence County Public Facilities Corporation, a South Carolina nonprofit corporation, was created in 1990 to act on behalf of Florence County in facilitating the financing and implementation of essential capital projects in the County; and

WHEREAS, Over the past 30 years the Florence County Public Facilities Corporation has made possible for Florence County nearly $200 million in capital improvements, including the Florence Civic Center, the Florence County Jail and Law Enforcement Center, the Florence County Judicial Center, and other critical infrastructure for the County; and

WHEREAS, the Florence County Public Facilities Corporation has been and is governed by a Board of Directors comprised of residents of Florence County who serve without pay; and

WHEREAS, without the leadership, vision, and commitment of these volunteer Board Members, the Florence County Public Facilities Corporation would have been unable to provide such essential service to Florence County; and

WHEREAS, the following have served as members of the Board of Directors of the Florence County Public Facilities Corporation: Barry L. Elliott, Christopher Clover, Bill Parrott, J.L. “Dinky” Miles, J. Ted Vause, Jr., John E. Floyd, Jr., Kevin V. Yokim, Waymon Mumford, Suzanne Sinclair King, Michael Abbott, Charles J. Hupfer, Jr., Rodney C. Jernigan, Randolph S. Key, and Thomas A. McDonald; and

WHEREAS, these servants of the greater good of Florence County deserve the sincere thanks of Florence County and its residents.

NOW, THEREFORE, BE IT RESOLVED by Florence County Council in meeting duly assembled that Florence County extends its deepest and most heartfelt gratitude to the individuals listed above for their exceptional and selfless service to Florence County, and extending to those individuals best wishes as neighbors and fellow citizens with whom we walk on our journey as a County.

Adopted and approved January ____, 2024.
ATTEST:  
____________________________ ___________________________
Hope M. Jones, Council Clerk
D. Malloy McEachin, Jr., County Attorney

SIGNED:
Willard Dorriety, Jr., Chairman

COUNCIL VOTE:
Approved as to Form and Content
OPPOSED:
ABSENT:
STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

I, the undersigned, Clerk to Council of Florence County, South Carolina, DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of a Resolution adopted by the Florence County Council (the “Council”), the governing body of Florence County, South Carolina, at a meeting duly called and held on ____________, 2024, at which meeting a majority of the members of the Council were present, and voted in favor of the adoption thereof, and such Resolution was duly adopted.

The meeting held on ____________, 2024, was a duly called special meeting of the County Council. As required by Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the “Freedom of Information Act”), a notice of said meeting (including the date, time, and place thereof, as well as an agenda) was posted on the County’s website and prominently in the Administrative Building 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 therefor at least twenty-four hours in advance of such meeting;

That the original of said Resolution is duly entered in the permanent records of the Council, in my custody as such Clerk.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the Council this _____ day of ______________, 2024.

__________________________
Clerk to County Council
Florence County, South Carolina

(SEAL)
AGENDA ITEM: Resolution No. 15-2023/24

DEPARTMENT: Economic Development

ISSUE UNDER CONSIDERATION:
A Resolution Authorizing An Amendment To The Agreement Governing The Darlington-Florence Industrial Park Dated As Of April 21, 2016, To Add Additional Park Property In Darlington County, And Addressing Other Matters Related Thereto.

POINTS TO CONSIDER:
1. A multi-county park inclusion is common to support economic development projects, particularly where SSRCs are involved.
2. The underlying project here is in Darlington County and is a solar farm project.
3. Florence County would stand to receive 1% of the annual payments.
4. The current projections are that the estimated payments will be approximately $200,000 per year for years 1-10 and $187,500 for years 11-30.
5. Florence would stand to receive an estimated $2,000 per year for years 1-10 and $1,875 per year for years 11-30.
6. The dollar amounts are not large, but we often need to ask our neighboring counties to do the same thing in reverse- for projects in Florence County.
7. This action is seen as collaborative with our counties in the region.

OPTIONS:
1. (Recommend) Approve as presented.
2. Provide an alternate directive.

ATTACHMENTS:
2. A copy of MCIP agreement.
RESOLUTION NO. 15-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(A Resolution Authorizing an Amendment to the Agreement Governing the Darlington-Florence Industrial Park dated as of April 21, 2016 to Add Additional Park Property in Darlington County, and Addressing Other Matters Related Thereto.)

WHEREAS:

1. Florence County, South Carolina, a political subdivision of the State of South Carolina (the "County"), acting by and through its County Council (the "County Council"), and Darlington County, South Carolina, a political subdivision of the State of South Carolina ("Darlington County"), acting by and through its County Council, are authorized pursuant to Article VIII, Section 13(D) of the Constitution of the State of South Carolina and Title 4, Chapter 1 of the Code of Laws of the State of South Carolina 1976, as amended, and specifically Section 4-1-170 thereof (collectively, the "Park Act"), to develop jointly an industrial or business park with other counties within the geographical boundaries of one or more member counties; and

2. Pursuant to the Park Act, the County and Darlington County entered into that certain Agreement Governing the Darlington-Florence Industrial Park dated as of April 21, 2016, (as amended, modified, and supplemented, collectively, the "Park Agreement") whereby the County and Darlington County agreed to develop a joint county industrial or business park eligible to include property located in either the County or Darlington County (the "Park"); and

3. Section 1.01 of the Park Agreement establishes the procedure for enlargement of the boundaries of the Park to include additional property; and

4. The County and Darlington County, having determined that an enlargement of the boundaries of the Park would promote economic development and thus provide additional employment and investment opportunities within said Counties, have agreed to enter into an Amendment of the Agreement Governing the Darlington-Florence Industrial Park (the "Amendment") to enlarge the boundaries of the Park by including therein certain property presently or to be leased and/or operated by Duke Energy Progress, LLC, formerly identified as Project Apollo and located in Darlington County (the "Project Apollo Property") as set forth in greater detail in the form of the Amendment which is presented to this meeting, and which Amendment is to be dated as of January 2, 2024, or such other date as the County and Darlington County may agree.

NOW THEREFORE, BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED as follows:
Section 1. The enlargement of the boundaries of the Park, and the granting of an extended period of time, for inclusion of the Project Apollo Properties, as set forth in the Amendment is hereby authorized and approved. The provisions, terms, and conditions of the Amendment presented to this meeting and filed with the Clerk to the Council are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the Amendment were set out in this Resolution in its entirety. The Chairman of the Council is hereby authorized, empowered, and directed to execute and deliver the Amendment in the name and on behalf of the County; the Clerk to the Council is hereby authorized, empowered and directed to attest the same; and the Chairman of the Council is further authorized, empowered, and directed to deliver the Amendment to Darlington County. The Amendment is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Amendment now before this meeting.

Section 2. This Resolution shall take effect and be in full force from and after its passage by the County Council.

ATTEST: 

Connie Y. Haselden, Council Clerk

SIGNED: 

________________________, Chairman

COUNCIL VOTE:
OPPOSED: 
ABSENT:

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney
This Amendment to Agreement Governing the Darlington-Florence Industrial Park (the “Amendment”) is made and entered into by and between Darlington County, South Carolina (“Darlington County”) and Florence County, South Carolina (“Florence County”), each a body politic and corporate and political subdivision of the State of South Carolina (collectively the “Counties”), and is to be effective as of the ____ day of __________, 2024.

WITNESSETH:

WHEREAS, Darlington County, acting by and through its County Council, and Florence County, acting by and through its County Council, are authorized pursuant to Article VIII, Section 13(D) of the Constitution of the State of South Carolina and Title 4, Chapter 1 of the Code of Laws of the State of South Carolina 1976, as amended, and specifically Section 4-1-170 thereof (collectively, the “Park Act”), to develop jointly an industrial or business park with other counties within the geographical boundaries of one or more member counties; and

WHEREAS, pursuant to the Park Act, Darlington County and Florence County entered into that certain Agreement Governing the Darlington-Florence Industrial Park dated as of April 21, 2016 (as amended, modified, and supplemented, collectively, the “Park Agreement”), whereby Darlington County and Florence County agreed to develop a joint county industrial or business park with other counties within the geographical boundaries of one or more member counties; and

WHEREAS, each of Darlington County and Florence County has authorized the execution and delivery of this Amendment by Darlington County Ordinance No. 23-22 and Florence County Resolution No. __________.
NOW THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Amendment and for other good and valuable consideration, the adequacy of which is hereby acknowledged, the parties hereby agree as follows:

1. Exhibit A-1 to the Park Agreement, which describes the boundaries of the Park property located in Darlington County, is hereby amended to include the Duke Energy Solar Properties, consisting of the parcels which are described on Schedule 1 hereto and made a part hereof by reference.

2. Except as expressly amended or modified herein, the remaining terms and conditions of the Park Agreement shall remain in full force and effect.

3. In the event that any clause or provisions of this Amendment shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

4. This Amendment may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

[Signature page follows.]
In WITNESS WHEREOF, the duly authorized and appointed officers of Darlington County, South Carolina and Florence County, South Carolina have set their hand and seals hereto to be effective as of the above written date.

DARLINGTON COUNTY, SOUTH CAROLINA

By: _______________________________
   Chairman
   Darlington County Council

(SEAL)
ATTEST:

______________________
J. JaNet Bishop, Clerk to Council
Darlington County Council

FLORENCE COUNTY, SOUTH CAROLINA

By: _______________________________
   Chairman
   Florence County Council

(SEAL)
ATTEST:

______________________
Hope Jones, Clerk to Council
Florence County Council
SCHEDULE 1

DESCRIPTION OF DUKE ENERGY SOLAR PROPERTIES

That parcel located in the County of Darlington, State of South Carolina, bearing Tax Map Parcel Number 018-00-02-001.
AGENDA ITEM:  Resolution No. 16-2023/24

DEPARTMENT:  Administration

ISSUE UNDER CONSIDERATION:

(A Resolution For EMS To Reassign Twenty Nine Thousand, One Hundred And Sixty Six Dollars And Fifty One Cents ($29,166.51) Of American Rescue Plan Act (ARPA) Funds In Accordance With The Final Rule From The United States Treasury As It Relates To The American Rescue Plan Act (ARPA) Funds.)

POINTS TO CONSIDER:

1. Florence County received ARPA funds that will be utilized to provide Public Safety, Technology Infrastructure, and Capital Project Improvements.

2. Florence County EMS proposes to reassign a portion of its ARPA funds ($29,166.51) as follows: ARPA funds were previously allocated to EMS to purchase 28 mobile radios. These radios were purchased through EMD’s radio upgrade project. Therefore, EMS would like to reallocate these ARPA funds for the procurement of five replacement Stryker ambulance cots.

3. Florence County ARPA funds must be obligated by December 31, 2024.

OPTIONS:

1. (Recommended) Approve Resolution No. 16-2023/24.

ATTACHMENT:

1. Resolution 16-2023/24
2. Request and Justification Letter (12/07/23) from EMS Director Barrott Dowdy
COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

RESOLUTION NO. 16-2023/24

(A Resolution For EMS To Reassign Twenty Nine Thousand, One Hundred And Sixty Six Dollars And Fifty One Cents ($29,166.51) Of American Rescue Plan Act (ARPA) Funds In Accordance With The Final Rule From The United States Treasury As It Relates To The American Rescue Plan Act (ARPA) Funds.)

WHEREAS:

1. Florence County received ARPA funds that will be utilized to provide Public Safety, Technology Infrastructure, and Capital Project Improvements; and

2. Florence County allocated a portion of its ARPA funds to EMS to purchase 28 mobile radios that were purchased through EMD’s radio upgrades and EMS would like to utilize these funds for the procurement of five replacement Stryker ambulance cots; and

3. These ARPA funds will be obligated by December 31, 2024; and

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

Florence County Council hereby authorizes the County Administrator to make such expenditures as outlined within this resolution from American Rescue Act Plan Funds as he deems most appropriate.

ATTEST: SIGNED:

____________________________ ______________________________
Hope M. Jones, Council Clerk Willard Dorriety, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:
To: Shannon Munoz, Deputy Administrator
From: Barrott Dowdy: EMS Director
Date: December 7, 2023
Subject: Request EMS ARPA funds be reassigned for power stretcher procurement

Please accept this memo as my request to reassign $29,166.51 to procure five replacement Stryker Power Pro ambulance cots.

Specifically, I am requesting authorization to use a portion of ARPA funds that had been assigned to purchase 28 mobile radios for EMS. Unknown to the previous EMS director, the radio replacements had been factored into EMD’s countywide radio upgrade. In total, $134,400 was allocated for EMS radios.

If approved, this funding would allow EMS to replace our oldest five Stryker Power Cots. These five units have been in-service since June of 2009.

EMS has $105,600 assigned to procure power cots with ARPA funding currently. Based on current pricing with inflation factored, this would only allow three power cots to be funded. If the requested $29,166.51 were approved to assist with purchasing the power cots, this would allow the five oldest cots to be decommissioned, traded in, and replaced by safer equipment that would be more reliable.

The total cost of replacing the oldest five stretchers will total $134,766.51. This total includes a five year service agreement for each device, tax, and shipping.

I recommend continuing our use of Stryker cots over other manufacturers for the following reasons:

- Our entire fleet is currently outfitted with Stryker brand cots and the Stryker brand hardware necessary to mount the cots in the ambulances. We have been using Stryker cots exclusively for many years and we have been very pleased with the cots, mounting hardware, and the service provided by their service team.

- The cot mounting hardware is proprietary; therefore, it is not advisable to attempt to mount a cot from another manufacturer in Stryker mounting hardware. This could open us up to civil
liability in the event that an ambulance is involved in a crash where the cot becomes dislodged and the patient is injured.

- Power cots, regardless of the manufacturer, are battery powered and the batteries and required battery chargers are proprietary. It would not be fiscally responsible to try to maintain batteries and charging systems from multiple manufacturers in each of our ambulances.

- In a service our size, serious logistical problems would exist if our cots, batteries and battery chargers were not standardized / interchangeable, as we often have to switch cots from one ambulance to another with little or no notice.

Please contact me if you have questions regarding this matter or if you require additional information.
AGENDA ITEM: Resolution 17-2023/24

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:
A Resolution Designating Specific Individual Council District 8. Road Projects To Be Funded From CPST III Excess Pursuant To Section 2.02 Of Ordinance No. 16-2023/24.

POINTS TO CONSIDER:
1. Florence County adopted Ordinance No. 16-2023/24 on November 16, 2023.

2. Section 2.02 of Ordinance No. 16-2023/24 is for the Designation of Specific Projects and within the project categories set forth in Section. 2.01(a)-(g), Council shall by resolution from time to time designate the specific individual projects to be funded from CPSTIII Excess.

3. The specific projects being designated in Council District 8 are for the resurfacing of Andover Road ($106,715), W. Keswick Road ($94,730), W. Newcastle Road ($106,040), Edgefield Road ($105,668.75), and Greenway Drive ($79,700).

OPTIONS:
1. (Recommend) approve as presented.
2. Provide an alternate directive.

ATTACHMENTS:
1. Proposed Resolution No.17-2023/24
2. Ordinance No. 16-2023/24
WHEREAS:

1. Florence County adopted Ordinance No. 16-2023/24 on November 16, 2023; and

2. Section 2.02 of Ordinance No. 16-2023/24 is for the Designation of Specific Projects and within the project categories set forth in Section 2.01(a)-(g), Council shall by resolution from time to time designate the specific individual projects to be funded from CPSTIII Excess; and

3. The specific projects being designated in Council District 8 are for the resurfacing of Andover Road ($106,715), W. Keswick Road ($94,730), W. Newcastle Road ($106,040), Edgefield Road ($105,668.75), and Greenway Drive ($79,700).

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

Florence County Council hereby approves the resurfacing projects of Andover Road, W. Keswick Road, W. Newcastle Road, Edgefield Road, and Greenway Drive to be funded from CPSTIII Excess funds.

ATTEST: SIGNED:

Hope M. Jones, Council Clerk Willard Dorriety, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:
ORDINANCE NO. 16-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

AN ORDINANCE

TO PROVIDE PURSUANT TO SECTION 4-10-340(B)(3) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, FOR THE EXPENDITURE OF EXCESS REVENUES RECEIVED BY THE COUNTY FROM THE CAPITAL PROJECT SALES TAX IMPOSED IN FLORENCE COUNTY PURSUANT TO ARTICLE 3 OF CHAPTER 10 OF TITLE 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED AND A REFERENDUM HELD IN FLORENCE COUNTY ON NOVEMBER 3, 2020, TO SPECIFY THE PURPOSES FOR WHICH EXPENDITURES WILL BE MADE, AND OTHER MATTERS RELATING THERETO.
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BE IT ORDAINED BY THE FLORENCCE COUNTY COUNCIL, SOUTH CAROLINA, IN COUNCIL ASSEMBLED, AS FOLLOWS:

ARTICLE I

FINDINGS OF FACT

Section 1.01 Findings.

On July 16, 2020, the Council enacted Ordinance Number 31-2019/20 entitled: "AN ORDINANCE TO IMPOSE A ONE PERCENT SALES TAX, SUBJECT TO A REFERENDUM, WITHIN FLORENCE COUNTY PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH THE TAX MAY BE IMPOSED; TO PROVIDE THE MAXIMUM COST OF THE PROJECTS OR FACILITIES FUNDED FROM THE PROCEEDS TO BE RAISED BY THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM AND TO CONCUR IN THE CONTENTS OF THE BALLOT QUESTION IN SUCH REFERENDUM; TO ESTABLISH THE PRIORITY IN WHICH THE PROCEEDS OF THE TAX ARE TO BE EXPENDED; TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF FLORENCE COUNTY, SUBJECT TO SUCH REFERENDUM, TO DEFRAY COSTS OF PROJECTS AND ISSUANCE COSTS; TO PROVIDE FOR THE CONDUCT OF SUCH REFERENDUM, TO PROVIDE FOR THE ADMINISTRATION OF THE TAX; TO PROVIDE FOR THE PAYMENT OF THE TAX; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO" (the "Initial Ordinance"). The Initial Ordinance was enacted pursuant to the authority of certain provisions of the Code of Laws of South Carolina, 1976, as amended (the "S.C. Code"), including the Capital Project Sales Tax Act, Sections 4-10-300 et seq. of the S.C. Code (the "Sales Tax Act").

Pursuant to the Initial Ordinance and the Sales Tax Act, a referendum was held in the County on November 3, 2020. As certified by the Florence County Voter Registration and Elections Commission, the question presented in the referendum (the "Referendum Question") was approved by the majority of the voters casting a vote therein, with 33,263 votes cast in favor and 13,944 votes cast in opposition.

Pursuant to the Sales Tax Act and approval of the Referendum Question, the imposition of the sales and use tax provided for in the Sales Tax Act, the third such sales and use tax imposed in Florence County ("CPST III") commenced May 1, 2021 and will terminate on April 30, 2028.

The Referendum Question contained projects permitted to be funded from the proceeds of CPST III pursuant to Section 4-10-330(A)(1) of the Sales Tax Act (the "Initial Projects").

On February 18, 2021, the Council enacted Ordinance No. 15-2020/21 entitled "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ONE HUNDRED TWENTY MILLION DOLLARS ($120,000,000) GENERAL OBLIGATION BONDS OF FLORENCE COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO" (the "CPST Bond Ordinance").

Pursuant to the CPST Bond Ordinance, the County issued, sold, and delivered $120,000,000 in principal amount of general obligation bonds of the County on March 11, 2021 (the "CPST III Bonds") in order to provide funds to defray the costs of the Initial Projects.

The CPST III Bonds are payable from the revenues derived from the imposition of CPST III and mature on June 1, 2028.

Section 3.8 of the Initial Ordinance provides for a flow of funds relative to the CPST III revenues and the CPST III Bonds. Said Section 3.8 provides that an amount equal to the amount of principal and interest payable on the CPST III Bonds during the following thirteen months shall be maintained in the sinking fund.
fund for the CPST III Bonds at all times, after which funds may be used to fund any debt service reserve fund established for the CPST Bonds and used to pay cost overruns with respect to the Initial Projects.

No debt service reserve fund has been established for the CPST III Bonds and all of the Initial Projects are either complete for fully funded with no cost overruns.

In consultation with the County’s municipal financial advisor, County administration has projected that the amount of CPST III revenue that will be collected to April 30, 2028 will exceed debt service requirements with respect to the CPST III Bonds to the final maturity of the CPST III Bonds by between $50,000,000 and $80,000,000 (the “CPST III Excess”).

Section 4-10-340(B)(3) of the Sales Tax Act, provides that, if excess revenues from the imposition of a capital project sales tax remain after all projects in the applicable referendum question have been fully funded and the capital project sales tax has not been reimposed, County Council may by ordinance apply may specify and direct the expenditure of such proceeds to other projects selected by County Council so long as the projects fall within the categories of project listed in Section 4-10-330(A)(1) of the Sales Tax Act.

CPST III is currently in effect and has not been reimposed.

As allowed by Section 4-10-340(B)(3) of the Sales Tax Act, Council therefore intends by and through this Ordinance to specify and direct the expenditure of $50,000,000 of the CPST Excess to public projects in the categories listed in Section 4-10-330(A)(1) of the Sales Tax Act.

* * *
ARTICLE II
SPECIFICATION AND DIRECTION OF EXPENDITURE OF EXCESS CPST III REVENUES

Section 2.01  Purposes of Expenditures.

As provided in Section 4-10-340(B)(3) of the Sales Tax Act, Council hereby directs the expenditure of $50,000,000 of CPST III Excess to the following projects:

(a)  Road Improvements  
(including without limitation paving, repaving, or other resurfacing, routing, rerouting drainage, sidewalks or other resurfacing, routing, rerouting drainage, sidewalks, and other in each County Council District, to be allocated equally among County Council districts

(b)  Infrastructure permitted by Section 4-10-330(A)(1) of the Sales Tax Act and serving economic development projects

(c)  Cultural, recreational, and historic Facilities to include parks and public land

(d)  Improvements to fire protection facilities

(e)  Montague Road Extension

(f)  General improvements to County facilities
   Permitted by Section 4-10-330(A)(1) of the Sales Tax Act

(g)  Municipal water and sewer improvements

Section 2.02  Designation of Specific Projects.

Within the project categories set forth in Section 2.01(a)-(g) above, Council shall by resolution from time to time designate the specific individual projects to be funded from CPST III Excess.

Section 2.03  Application of CPST III Excess to Projects.

Council may fund the projects identified in Section 2.01 above either by direct expenditure of the CPST III Excess designated in such Section or by using such amounts to pay debt service on acquisition agreements with respect to such projects, including without limitation installment purchase agreements.
ARTICLE III
MISCELLANEOUS

Section 3.01 Severability of Invalid Provisions.

If any one or more of the covenants or agreements provided in this Ordinance should be contrary
to law, then such covenant or covenants or agreement or agreements shall be deemed severable from the
remaining covenants and agreements, and shall in no way affect the validity of the other provisions of this
Ordinance.

Section 3.02 Further Action by Officers of County.

The proper officers of the County are fully authorized and empowered to take the actions required
to implement the provisions of this Ordinance and to furnish such certificates and other proofs as may be
required of them. In the absence of any officer of the Council herein authorized to take any act or make any
decision, the County Administrator is hereby authorized to take any such act or make any such decision.

Section 3.03 Effective Date of Ordinance.

This Ordinance shall take effect immediately and no further authorization is required to execute
and deliver all documents and certificates required to effect the sale, issuance and delivery of the Bonds.
This Ordinance shall be construed liberally to effect the intent of Council.

ATTEST:

[Signatures]
Hope Jones, Clerk to County Council
Willard Dorriety, Jr., Chairman

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

COUNCIL VOTE: approved
OPPOSED: 
ABSENT: (proxy) Bradley
STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

I, the undersigned, Clerk of the Florence County Council (the “County Council”), DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by the County Council on November 16, 2023. The Ordinance was read at three public meetings of the County Council on three separate days, September 21, 2023, October 19, 2023, and November 16, 2023. An interval of at least seven days occurred between each reading 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 21, 2023, October 19, 2023, and November 16, 2023 were each a regular meeting 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 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 the County, this 16th day of November, 2023.

(Seal)

Clerk, Florence County Council
AGENDA ITEM: Resolution No. 18-2023/24
DEPARTMENT: Voter Registration

ISSUE UNDER CONSIDERATION:
(A Resolution To Amend Section 4 Of Resolution No. 05-2009/10 To Remove The Daily Limit And Increase The Monthly Limit Of One Participant In The South Carolina Procurement Card Program.)

POINTS TO CONSIDER:
1. Resolution No. 05-2009/10 authorizing Florence County’s participation in the South Carolina Procurement Card Program was adopted by Florence County Council on November 19, 2009.
2. Increasing Florence County’s participation in this Program will further reduce the County’s exposure to a certain amount of financial risk by having open charge accounts at various vendors throughout the County, a necessity for many small purchases.
3. Efficiencies currently experienced by the County’s participation in this Program will increase with an increase in participation in this program.

FUNDING FACTORS:
Funding will come from account no. 010-411-410-100.

OPTIONS:
1. (Recommend) approve Resolution No. 18-2023/24 as presented.
2. Provide an alternate directive.

ATTACHMENT:
1. Copy of proposed Resolution No. 18-2023/24.
2. Copy of Resolution No. 05-2009/10.
RESOLUTION NO. 18-2023/24

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(A Resolution To Amend Section 4 Of Resolution No. 5-2009/10 To Remove The Daily Limit And Increase The Monthly Limit Of One Participant In The South Carolina Procurement Card Program.)

WHEREAS:

1. Resolution No. 5-2009/10 authorizing Florence County’s participation in the South Carolina Procurement Card Program was adopted by Florence County Council on November 19, 2009; and

2. Increasing Florence County’s participation in this Program will further reduce the County’s exposure to a certain amount of financial risk by having open charge accounts at various vendors throughout the County, a necessity for many small purchases; and

3. Efficiencies currently experienced by the County’s participation in this Program will increase with an increase in participation in this program; and

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

1. Section 4 of Resolution No. 5-2009/10 is hereby amended to increase the limit for one position per the listing below.

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<th>Department</th>
<th>Daily Limit</th>
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<td><strong>Increase Limit to:</strong></td>
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<td><strong>Voter Registration</strong></td>
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<td>$3,000 to $6,000</td>
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ATTEST:

____________________________
Hope M. Jones

SIGNED:

____________________________
Willard Dorriety, Jr.

COUNCIL VOTE:
OPPOSED:
ABSENT:
RESOLUTION NO. 5-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(To Authorize Florence County To Participate In The South Carolina Procurement Card Program and To Establish Local Policies And Procedures.)

WHEREAS:

1. Section 8f of Ordinance No. 01-2009/10, the annual budget Ordinance for Florence County, states in part, “Credit cards which obligate Florence County are not permitted unless specifically authorized by written resolution of County Council”; and

2. Florence County is currently exposed to a certain amount of financial risk by having open charge accounts at various vendors throughout the County, a necessity for many small purchases; and

3. It is becoming increasingly inefficient to do business without some form of credit card program: One such recent example of inefficiency being that the South Carolina Law Enforcement Division (SLED) no longer extends credit for the cost of employment background checks, but requires credit card payment. Since the County currently does not conduct business using credit cards, payment has to be made with a check in advance, which delays the County’s hiring process by as much as an additional three weeks; and

4. The per-transaction processing cost of a typical purchase order system such as Florence County’s is estimated to be in excess of $75 per purchase; whereas the same per-transaction processing cost for the SC Procurement Card Program is less than $25 per purchase (inclusive of all documentation, issuance, tracking, partial payout, reconciliation, and closure); and

5. The SC Procurement Card Program contains control mechanisms not available on commercial credit cards, in that the County can program each card with dollar and transaction limits per day/month, restrict use by vendor type, electronically monitor transactions in real time, cancel cards instantly via the Internet, and benefit from coverage of any fraudulent transactions with $100,000 per cardholder liability insurance by VISA; and

6. The SC Procurement Card Program has been in existence for approximately ten years, is currently being used by about fifty local governments, including eleven counties, and has handled over 1,000,000 transactions in 2008, totaling more than $244,000,000.

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

1. Florence County is hereby authorized to participate in the South Carolina Procurement Card Program, and the County Administrator is directed to execute the necessary documentation to proceed.

2. Regular monitoring of the County’s participation in the Program will include detailed reviews of each monthly statement at all levels, including heads of participating departments.
3. The County Administrator will manage the County’s participation in the Program:
   a. Requiring that each card be used solely for official, authorized use, reconciled timely, and fully accounted for at all times.
   b. Providing monthly reports to County Council detailing the dollar volume and number of transactions for each card authorized in the Program.
   c. Notifying the Council immediately of any event of fraud or misuse.
   d. Terminating or suspending any user, department, or all County participation as necessary.

4. Below is a listing of the positions to which cards will be issued as participants in the Program and a daily spending limit and a total monthly spending limit for each position. County Council may amend this list to add additional positions to the Program, or to increase existing spending limits, upon the recommendation of the County Administrator.

<table>
<thead>
<tr>
<th>Department</th>
<th>Daily Limit</th>
<th>Monthly Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Works Department (153-441-431)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Urban Supervisor</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td><strong>Recreation Department (010-471-451)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities Superintendent</td>
<td>$200</td>
<td>$1,000</td>
</tr>
<tr>
<td>Program Superintendent</td>
<td>$500</td>
<td>$2,000</td>
</tr>
<tr>
<td>Parks Superintendent</td>
<td>$200</td>
<td>$1,000</td>
</tr>
<tr>
<td><strong>Sheriff’s Office (010-421-421)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance Supervisor</td>
<td>$2,500</td>
<td>$6,000</td>
</tr>
<tr>
<td>Fiscal Technician</td>
<td>$1,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>Lieutenant/Security</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td><strong>Human Resources Department (010-411-412)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Director</td>
<td>$200</td>
<td>$550</td>
</tr>
<tr>
<td>Human Resources Coordinator</td>
<td>$200</td>
<td>$550</td>
</tr>
<tr>
<td><strong>Clerk to Council (010-411-402)</strong></td>
<td>$1,500</td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>Facilities Management (010-411-420)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities Manager</td>
<td>$500</td>
<td>$1,500</td>
</tr>
<tr>
<td>Facilities Coordinator</td>
<td>$100</td>
<td>$500</td>
</tr>
<tr>
<td>Buildings &amp; Grounds Superintendent</td>
<td>$100</td>
<td>$500</td>
</tr>
<tr>
<td><strong>Emergency Management (010-421-422)</strong></td>
<td></td>
<td></td>
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<tr>
<td>Emergency Preparedness Coordinator</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>Technical Hazards Coordinator</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>Radio Technician</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td><strong>Information Technology (010-411-427)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information Tech. Director</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

ATTEST:  
Connie Y. Haselden, Council Clerk

SIGNED:  
K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:  
APPROVED  
OPPOSED:  
ABSENT:  

AGENDA ITEM: Ordinance No. 19-2023/24
Third Reading

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT; And Other Matters Related Thereto.] (Planning Commission approved (7 to 0)

POINTS TO CONSIDER:
1. The intent of this text amendment is to update the Florence County Ordinance to enhance and protect the quality of life for occupants and adjacent property owners of Planned Development Districts (PD) and to ensure PD’s meet the requirements of the South Carolina Local Government Comprehensive Planning Enabling Act.

OPTIONS:
1. (Recommended) Approve As Presented.

ATTACHMENTS:
1. Ordinance No. 19-2023/24
2. Staff Report for PC#2023-29
ORDINANCE NO. 19-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT; And Other Matters Related Thereto.]

WHEREAS:

1. The intent of this text amendment is to update the Florence County Ordinance to enhance and protect the quality of life for occupants and adjacent property owners of Planned Development Districts (PD) and to ensure PD’s meet the requirements of the South Carolina Local Government Comprehensive Planning Enabling Act.

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

1. The Florence County Code Of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT. Shall be amended to read as follows:

Sec. 30-40. – Definitions.

Amenities: Features that are intentionally designed to benefit the occupants of the PD and hold little to no benefit to the surrounding community. Amenities are provided to improve the quality of life for a variety of ages and lifestyles. Amenities may include, but are not limited to, clubhouses, gyms, swimming pools, sports facilities (both indoor and outdoor), improved surface walking/jogging/equestrian/biking trails (not including street sidewalks), enclosed dog parks, picnic areas and shelters, group facilities, and equipped playgrounds.

Buildable acreage. The portion of a tract or parcel of land which can be developed, not including existing platted rights-of-way and utility easements, natural water bodies (streams/lakes), and wetlands under the jurisdiction of the U.S. Army Corps of Engineers unless such wetlands are to be filled upon issuance of a "fill" permit. Wetland buffers may be included as developable.
acreage, but may not be encroached upon unless specified by a permit and approved development plan.

**Commercial Use.** A use that is intended to serve the surrounding community at large and not limited to occupants of the PD. A commercial use shall be readily accessible to the users located outside of the PD and offer a benefit to the community as a whole. Commercial uses within a PD are those improvements which provide service to and enhance the quality of life for the general public.

**Common open space.** An open space area intended for the use or enjoyment of the occupants of the PD that highlights and compliments the natural character of the land and are passive in nature.

**Density/use.** The density and uses allowed within a PD shall be as established within the written narrative provided along with the sketch plan submittal. The narrative shall include a statement detailing the differences in land uses between the current use(s) and the proposed zoning. The PD narrative shall include a table summarizing the proposed gross and net densities of the proposed PD. A breakdown of buildable acreage versus gross acreage shall be provided with a minimum of twenty (20) percent from the overall project area to be subtracted for the provision of infrastructure and drainage.

For the purposes of determining gross and net densities, the formula below shall be used:

\[
\text{Gross density} = \frac{\text{the total number of dwelling units}}{\text{the total project acreage}}
\]

\[
\text{Net density} = \frac{\text{the total number of dwelling units}}{\text{the net (buildable) acreage}}
\]

**Planned Development District.** For the purposes of this section, Planned Development Districts (PD) may be defined as a development project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments. A planned development district is established by rezoning prior to development and is characterized by a unified site design for a mixed-use development.

**Recreational Open Space.** An improved open space area that is intended to encourage active participation by the occupants of the PD.

1) **Active Recreational Open Space.** An open space that is developed and improved to create opportunities for recreational activity. Amenities as defined in this section may qualify as active recreation open space.

2) **Passive Recreational Space.** A space which is developed as part of a required design element that results in an opportunity for recreational/physical activity.

**Sec. 30-41. Establishment of PD.**

A PD shall be established on the official zoning map by the same procedure as for amendments generally (article IX) and in accord with the requirements of this section.

Additionally, each PD shall be identified by a prefix and number indicating the particular district, as for example "PD - 98 - 1" (Zone - Year - Number), together with whatever other identification appears appropriate.
Sec. 30-42. Permitted uses in PD.

Any combination of uses meeting the objectives of this section may be established in a PD upon review and approved amendatory action by Florence County Council. Once approved, the proposed uses and no others shall be permitted. Said uses shall be identified and listed on the basis of classification, i.e. retail, office, wholesale, residential multi-family, residential single-family detached, manufacturing, etc. The list may also include specific uses that are not allowed. The list of approved uses shall be binding on the applicant and any successor in title, so long as the PD zoning applies to the land, unless otherwise amended by ordinance.

Sec. 30-43. Development standards.

(1) Unless specifically addressed in the section, applicable land development and subdivision standards of the Florence County Code of Ordinance 28.6 shall apply.

(2) Minimum area required. Minimum area requirements for establishing a PD shall be five acres.

(3) Density. The proposed PD shall not have a negative impact on its surrounding uses and on existing and proposed support facilities, i.e. transportation, water and sewerage systems, recreation facilities, etc. through the thoughtful design of residential density, setbacks, impervious surface ratios, floor area ratios, and building heights.

(4) Overall site design. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, size of structures, street patterns, and use relationships. Residential building types must vary with one design style (height, and size, and facades, and setbacks) not to exceed eighty percent (80%) of the total residential structures throughout the project. For PD’s where the primary emphasis is residential, not less than 5% of the buildable area of the PD shall be reserved for commercial uses; not more than 5 acres shall be required.

(5) Parking and loading. Off-street parking and loading spaces for each PD shall comply with the requirements of sections 30-28 and 30-29, as applicable for the various uses proposed for the PD, and the requirements of article VI.

(6) Streets and street improvements. Private streets may be permitted in a PD provided such streets meet the design and construction standards promulgated for public streets; further provided that an acceptable maintenance plan be submitted along with the sketch plan for consideration of approval.

(7) Signage. Signage shall be in harmony and scale with and reflective of the proposed PD and the surrounding uses. A signage plan shall be included along with the sketch plan. The plan shall include: street and traffic signs, signs for the variety of commercial uses, and entrance/subdivision signage.

(8) Bufferyards

1) Perimeter buffer. Perimeter buffers shall comply with sec. 30-121, Bufferyard Illustration C. Buffer areas shall be held in common property of the development and not included within individual platted lots. Building encroachments shall be prohibited
within such buffers; however, stormwater features, bicycle, pedestrian, and equestrian trails, landscape features, and development entrance rights-of-way may be permitted within such buffers.

The following standards shall apply to specific permitted encroachments within the PD’s perimeter buffer:

(a) Recreational and Common open space features that are located within the PD buffer may be counted toward meeting open space requirements established in sec. 30-43(9), provided that:

i. The amount of credit given for the active amenity feature located within the buffer is calculated based on the feature's size as determined by its width and linear feet.

(b) Stormwater features located within the PD buffer are permitted provided that:

i. Applicable maintenance easements are established on the recorded plat to ensure access to the feature.

ii. The required maintenance easement of the storm water feature does not encroach within more than half of the required buffer’s depth. Where the buffer depth is reduced, the required plantings may be reduced by the same factor.

2) Interior buffers. The various uses within the interior boundaries of the PD shall include buffers in accordance with sec. 30-121.

(9) Open space. PDs shall include dedicated acreage for open space in accordance with the formula established in subsection (a), below. Open space shall include a combination of common and recreational (active or passive) elements as indicated in subsection (b) below, so long as a minimum of twenty-five (25) percent of the recreational elements provided are made up of active features.

1) Open space shall designed to provide maximum benefit to the PD’s occupants through its central location, when possible.

2) Open space features along the exterior boundary of the PD shall not exceed more than 20% of the open space requirements.

3) Open space areas that will not be developed/improved due to the burden of flood zones and wetlands, may be included in the required common open space but shall not exceed 33% of the required common open space.

(a) Open space calculation formulas. To calculate the required open space involves the use of two (2) formulas; the formula for the recreational open space and the formula for the common open space. The results obtained from the two (2) formulas are then added together to determine the total required open space.

i. Recreational PD open space:

\[ A_1 = D \times 2.3 \times 0.01 \]
Where:

\[ A_1 = \text{the required upland open space area}; \]
\[ D = \text{the number of dwelling units in the PD}; \]

Average household density = 2.3 persons; and the
Number of acres required per person = 0.01 acres per person.

ii. Common PD open space:

\[ A_1 = \frac{D \times 2.3 \times 0.01}{2} \]

Where:

\[ A_1 = \text{the required common open space area}; \]
\[ D = \text{Number of dwelling units in a PD}; \]

Average household density = 2.3 persons; and the
Number of acres required per person = 0.01 acres per person.

(b) Acceptable common and recreational open space features.

i. Common open space uses include, but are not limited to:

i.1 Natural open water bodies and/or water bodies of at least three (3) acres in size capable of supporting aquatic life (generally with a depth of at least four and one-half (4½) feet that can serve for recreational uses.

i.2 Natural areas of undisturbed vegetation with maintenance limited to removal of litter, dead trees, plant material and brush.

i.3 Areas of cultural significance such as locally or nationally listed historic and archeological sites (including structures).

A developer proposing to use lakes or stormwater ponds to meet the common space requirements must provide certification to the Planning Commission that such lake or stormwater pond has been designated to be perpetually filled and capable of supporting aquatic life (generally a minimum perpetual water depth of four and one-half (4½) feet from the bottom storage or outlet elevation is required).

ii. Recreational open space uses for both active and passive are those as defined in this section.

(4) Land burdened with easements may be used provided that the easements do not interfere with the use of the land for open space and recreational purposes and if future development does occur, then alternate space shall be provided.

(Ord. No. 33-2006/07, § 2.6-3, 6-7-07)
Sec. 30-44. Sketch Plan requirements.

A sketch plan showing the proposed development shall be a prerequisite to the approval of a PD. A digital copy of the sketch plan must be provided to Planning Commission staff along with at least one hard copy printed on paper measuring 24” x 36”. The sketch plan shall adhere to the requirements of this section and section 28.6 -47 of the Florence County Code of Ordinances. The sketch plan shall show all areas intended for open space with their acreage and intended access points. Additionally, a conceptual layout of the equipment or features that will be located in such areas shall be provided as either an attachment to the PD application or on the conceptual plan.

The submittal shall include a written narrative. The narrative shall include the densities as defined in this section. The narrative shall explain the intended use of any open space and provide detail as to how such spaces will be accessible, integrated to the overall development, and maintained. A single statement indicating that open space will be provided is not acceptable. The narrative shall describe in detail how the proposed PD adheres to all requirements of this code.

(Ord. No. 33-2006/07, § 2.6-4, 6-7-07)

Sec. 30-45. Financial guarantees.

Where improvements, "common" amenities that are included in the calculated open space requirements, and infrastructure are proposed, such improvements shall be installed in accord with a development schedule to be approved as part of the PD plan.

Where proposed or required improvements have not been completed by the applicant/developer prior to the scheduled target date or within the phase under construction and certified by the zoning administrator, the applicant/developer may provide financial guarantees to ensure the proper installation of such required improvements prior to the development of the next phase of the PD. The nature and duration of the guarantees shall be structured to achieve this goal without adding unnecessary costs to the developer. All financial guarantees shall comply with Sec. 28.6 -98 of the Florence County Code of Ordinances.

(Ord. No. 33-2006/07, § 2.6-5, 6-7-07)

Sec. 30-46. Action by planning commission and council.

Action by the planning commission and Florence County Council may be to approve the plan and application to establish a PD, to include specific modifications to the plan, or to deny the application to rezone or establish a PD. If the plan and/or rezoning are approved, the applicant shall be allowed to proceed in accord with the approved PD plan as supplemented or modified in a particular case, and shall conform to any time or priority limitations established for initiating and/or completing the development in whole, or in specified stages. If the application is denied, the applicant shall be so notified.

(Ord. No. 33-2006/07, § 2.6-6, 6-7-07)
Sec. 30-47. Administrative action.

After a PD plan has been approved, building and sign permits shall be issued in accord with the approved plan as a whole or in stages, or portions thereof, as approved. Said permits shall be issued in the same manner as for building and sign permits generally.

(Ord. No. 33-2006/07, § 2.6-7, 6-7-07)

Sec. 30-48. Changes in approved PD plans.

(a) Except as provided in this section, approved PD plans shall be binding on the owner and any successor in title.

(b) Amendments to a planned development district may be authorized by ordinance of Florence County Council after recommendation from the planning commission. These amendments constitute Zoning Ordinance amendments and must follow prescribed procedures for the amendments. The adopted plan may include a method for minor modifications to the sketch plan or development provisions.

(c) Minor changes in approved PD sketch plan may be approved by the zoning administrator on application by the applicant, upon making a finding that such changes are:

1. In accord with all applicable regulations in effect at the time of the creation of the PD district; or
2. In accord with all applicable regulations currently in effect.
3. Changes less than ten percent from the original requirements.

(d) In reaching a decision as to whether the change will require planning commission approval, the zoning administrator shall use the following criteria:

1. Any increase in intensity or use shall constitute a modification requiring planning commission approval. An increase in intensity of use shall be considered to be an increase in usable floor area, an increase in the number of dwelling or lodging units, or an increase in the amount of outside land area devoted to sales, displays, or demonstrations.
2. Any change in parking areas resulting in an increase or reduction in the number of spaces approved shall constitute a change requiring planning commission approval.
3. Structural alterations significantly affecting the basic size, form, style, and location of a building, as shown on the approved plan, shall be considered a change requiring planning commission approval.
4. Any reduction in the amount of open space or buffer area, or any change in the location or characteristics of open space, shall constitute a change requiring planning commission approval.
5. Any change in use from one use group to another shall constitute a change requiring planning commission approval.
6. Any change in pedestrian or vehicular access or circulation.
7. Any change or variation of phasing of development must be approved by the Planning Commission. Where improvements and/or "common" amenities or infrastructure are
not completed, the next phase may be approved provided proper development plans have been approved and financial guarantees are provided in accordance with Sec.30-45.

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 provision of this Ordinance are severable.

ATTEST:       SIGNED:

_____________________________ ___________________________
Hope M. Jones, Council Clerk Willard Dorriety, Jr., 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
October 24, 2023
PC#2023-29

SUBJECT: Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT.

APPLICANT: Florence County

Staff Analysis:
The intent of this text amendment is to update the Florence County Ordinance to enhance and protect the quality of life for occupants and adjacent property owners of Planned Development Districts (PD) and to ensure PD’s meet the requirements of the South Carolina Local Government Comprehensive Planning Enabling Act.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT, shall be amended to read as follows:

Sec. 30-40. – Definitions.

Amenities: Features that are intentionally designed to benefit the occupants of the PD and hold little to no benefit to the surrounding community. Amenities are provided to improve the quality of life for a variety of ages and lifestyles. Amenities may include, but are not limited to, clubhouses, gyms, swimming pools, sports facilities (both indoor and outdoor), improved surface walking/jogging/equestrian/biking trails (not including street sidewalks), enclosed dog parks, picnic areas and shelters, group facilities, and equipped playgrounds.

Buildable acreage. The portion of a tract or parcel of land which can be developed, not including existing platted rights-of-way and utility easements, natural water bodies (streams/lakes), and wetlands under the jurisdiction of the U.S. Army Corps of Engineers unless such wetlands are to be filled upon issuance of a "fill" permit. Wetland buffers may be included as developable acreage, but may not be encroached upon unless specified by a permit and approved development plan.

Commercial Use. A use that is intended to serve the surrounding community at large and not limited to occupants of the PD. A commercial use shall be readily accessible to the users located outside of the PD and offer a benefit to the community as a whole. Commercial uses within a PD
are those improvements which provide service to and enhance the quality of life for the general public.

Common open space. An open space area intended for the use or enjoyment of the occupants of the PD that highlights and compliments the natural character of the land and are passive in nature.

Density/use. The density and uses allowed within a PD shall be as established within the written narrative provided along with the sketch plan submittal. The narrative shall include a statement detailing the differences in land uses between the current use(s) and the proposed zoning. The PD narrative shall include a table summarizing the proposed gross and net densities of the proposed PD. A breakdown of buildable acreage versus gross acreage shall be provided with a minimum of twenty (20) percent from the overall project area to be subtracted for the provision of infrastructure and drainage.

For the purposes of determining gross and net densities, the formula below shall be used:

Gross density = the total number of dwelling units ÷ the total project acreage
Net density = the total number of dwelling units ÷ the net (buildable) acreage

Planned Development District. For the purposes of this section, Planned Development Districts (PD) may be defined as a development project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments. A planned development district is established by rezoning prior to development and is characterized by a unified site design for a mixed use development.

Recreational Open Space. An improved open space area that is intended to encourage active participation by the occupants of the PD.

1) Active Recreational Open Space. An open space that is developed and improved to create opportunities for recreational activity. Amenities as defined in this section may qualify as active recreation open space.

2) Passive Recreational Space. A space which is developed as part of a required design element that results in an opportunity for recreational/physical activity.

Sec. 30-41. Establishment of PD.

A PD shall be established on the official zoning map by the same procedure as for amendments generally (article IX) and in accord with the requirements of this section.

Additionally, each PD shall be identified by a prefix and number indicating the particular district, as for example "PD - 98 - 1" (Zone - Year - Number), together with whatever other identification appears appropriate.

(Ord. No. 33-2006/07, § 2.6-1, 6-7-07)
Sec. 30-42. Permitted uses in PD.

Any use or combination of uses meeting the objectives of this section may be established in a PD upon review and approved amendatory action by Florence County Council, the council with jurisdiction. Once approved, the proposed uses and no others shall be permitted. Said uses shall be identified and listed on the basis of classification, i.e. retail, office, wholesale, residential multi-family, residential single-family detached, manufacturing, etc. The list may also include specific uses that are not allowed. The list of approved uses shall be binding on the applicant and any successor in title, so long as the PD zoning applies to the land, unless otherwise amended by ordinance.

(Ord. No. 33-2006/07, § 2.6-2, 6-7-07)

Sec. 30-43. Development standards.

(1) Unless specifically addressed in the section, applicable land development and subdivision standards of the Florence County Code of Ordinance 28.6 shall apply.

(2) Minimum area required. Minimum area requirements for establishing a PD shall be five acres.

(3) Density. The proposed PD shall not have a negative impact on its surrounding uses and on existing and proposed support facilities, i.e. transportation, water and sewerage systems, recreation facilities, etc. through the thoughtful design of Residential density, setbacks, impervious surface ratios, floor area ratios, and building heights shall be determined by the scale of the project in relation to its surroundings and its impact on existing and proposed support facilities, i.e. transportation, water and sewerage systems, recreation facilities, etc.

(4) Overall site design. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, size of structures, street patterns, and use relationships. Residential building types must vary with one design style (height, and size, and facades, and setbacks) not to exceed eighty percent (80%) of the total residential structures throughout the project. Variety in building types, heights, facades, setbacks, and size of open spaces shall be encouraged. For PD’s where the primary emphasis is residential, not less than 5% of the buildable area of the PD shall be reserved for commercial uses; not more than 5 acres shall be required.

(5) Parking and loading. Off-street parking and loading spaces for each PD shall comply with the requirements of sections 30-28 and 30-29, as applicable for the various uses proposed for the PD, and the requirements of article VI.

(6) Buffer areas. Buffer areas shall be required for peripheral uses only, and shall be provided in accordance with the minimum requirements for adjacent uses prescribed by article IV, division 1. Buffer areas are not required for internal use.

(6) Streets and street improvements. Private streets may be permitted in a PD provided such streets meet the design and construction standards promulgated for public streets; further provided that an acceptable maintenance plan be submitted along with the sketch plan for consideration of approval, to and approved by the planning commission prior to permitting.
(7) **Landscaping and common open space.** Landscaping and open space requirements for each PD shall comply with the provisions of article IV, division 3 and division 4 of this chapter.

(78) **Signage.** Signage shall be in harmony and scale with and reflective of the proposed PD and the surrounding uses. A signage plan shall be included along with the sketch plan. The plan shall include: street and traffic signs, signs for the variety of commercial uses, and entrance/subdivision signage.

(8) **Bufferyards**

1) **Perimeter buffer.** Perimeter buffers shall comply with sec. 30-121, Bufferyard Illustration C. Buffer areas shall be held in common property of the development and not included within individual platted lots. Building encroachments shall be prohibited within such buffers; however, stormwater features, bicycle, pedestrian, and equestrian trails, landscape features, and development entrance rights-of-way may be permitted within such buffers.

The following standards shall apply to specific permitted encroachments within the PD’s perimeter buffer:

   (a) Recreational and Common open space features that are located within the PD buffer may be counted toward meeting open space requirements established in sec. 30-43(9), provided that:

      i. The amount of credit given for the active amenity feature located within the buffer is calculated based on the feature's size as determined by its width and linear feet.

   (b) Stormwater features located within the PD buffer are permitted provided that:

      i. Applicable maintenance easements are established on the recorded plat to ensure access to the feature.

      ii. The required maintenance easement of the storm water feature does not encroach within more than half of the required buffer’s depth. Where the buffer depth is reduced, the required plantings may be reduced by the same factor.

2) **Interior buffers.** The various uses within the interior boundaries of the PD shall include buffers in accordance with sec. 30-121.

(9) **Open space.** PDs shall include dedicated acreage for open space in accordance with the formula established in subsection (a), below. Open space shall include a combination of common and recreational (active or passive) elements as indicated in subsection (b) below, so long as a minimum of twenty-five (25) percent of the recreational elements provided are made up of active features.

   1) Open space shall designed to provide maximum benefit to the PD’s occupants through its central location, when possible.
2) Open space features along the exterior boundary of the PD shall not exceed more than 20% of the open space requirements.

3) Open space areas that will not be developed/improved due to the burden of flood zones and wetlands, may be included in the required common open space but shall not exceed 33% of the required common open space.

(a) Open space calculation formulas. To calculate the required open space involves the use of two (2) formulas; the formula for the recreational open space and the formula for the common open space. The results obtained from the two (2) formulas are then added together to determine the total required open space.

i. Recreational PD open space:
   \[ A_1 = D \times 2.3 \times 0.01 \]
   Where:
   \[ A_1 \] = the required upland open space area;
   \[ D \] = the number of dwelling units in the PD;
   Average household density = 2.3 persons; and the
   Number of acres required per person = 0.01 acres per person.

ii. Common PD open space:
   \[ A_1 = \frac{D \times 2.3 \times 0.01}{2} \]
   Where:
   \[ A_1 \] = the required common open space area;
   \[ D \] = Number of dwelling units in a PD;
   Average household density = 2.3 persons; and the
   Number of acres required per person = 0.01 acres per person.

(b) Acceptable common and recreational open space features.

i. Common open space uses include, but are not limited to:

   i.1 Natural open water bodies and/or water bodies of at least three (3) acres in size capable of supporting aquatic life (generally with a depth of at least four and one-half (4½) feet that can serve for recreational uses.

   i.2 Natural areas of undisturbed vegetation with maintenance limited to removal of litter, dead trees, plant material and brush.

   i.3 Areas of cultural significance such as locally or nationally listed historic and archeological sites (including structures).

A developer proposing to use lakes or stormwater ponds to meet the common space requirements must provide certification to the Planning Commission that such lake or stormwater pond has been designated to be
perpetually filled and capable of supporting aquatic life (generally a minimum perpetual water depth of four and one-half (4½) feet from the bottom storage or outlet elevation is required).

ii. Recreational open space uses for both active and passive are those as defined in this section.

(4) Land burdened with easements may be used provided that the easements do not interfere with the use of the land for open space and recreational purposes and if future development does occur, then alternate space shall be provided.

(Ord. No. 33-2006/07, § 2.6-3, 6-7-07)

Sec. 30-44. Sketch Plan Site-plan requirements.

A sketch plan showing the proposed development shall be a prerequisite to the approval of a PD. A digital copy of the sketch plan must be provided to Planning Commission staff along with at least one hard copy printed on paper measuring 24” x 36”. The site plan shall adhere to the requirements of this section and shall show the information called for in section 30-267(c). section 28.6-47 of the Florence County Code of Ordinances. The sketch plan shall show all areas intended for open space with their acreage and intended access points. Additionally, a conceptual layout of the equipment or features that will be located in such areas shall be provided as either an attachment to the PD application or on the conceptual plan.

The submittal shall include a written narrative. The narrative shall include the densities as defined in this section. The narrative shall explain the intended use of any open space and provide detail as to how such spaces will be accessible, integrated to the overall development, and maintained. A single statement indicating that open space will be provided is not acceptable. The narrative shall describe in detail how the proposed PD adheres to all requirements of this code.

(Ord. No. 33-2006/07, § 2.6-4, 6-7-07)

Sec. 30-45. Financial guarantees.

Where public improvements, and or "common" amenities that are included in the calculated open space requirements, and or infrastructure are proposed, such improvements shall be installed in accord with a development schedule to be approved as part of the PD plan.

Where proposed or required improvements have not been completed by the applicant/developer prior to the scheduled target date or within the phase under construction and certified by the zoning administrator, the applicant/developer may provide financial guarantees to ensure the proper installation of such required improvements prior to the development of the next phase of the PD. The nature and duration of the guarantees shall be structured to achieve this goal without adding unnecessary costs to the developer. All financial guarantees shall comply with Sec. 28.6-98 of the Florence County Code of Ordinances.

(Ord. No. 33-2006/07, § 2.6-5, 6-7-07)
Sec. 30-46. Action by planning commission and council.

Action by the planning commission and Florence County Council council with jurisdiction may be to approve the plan and application to establish a PD, to include specific modifications to the plan, or to deny the application to rezone or establish a PD. If the plan and/or rezoning are approved, the applicant shall be allowed to proceed in accord with the approved PD plan as supplemented or modified in a particular case, and shall conform to any time or priority limitations established for initiating and/or completing the development in whole, or in specified stages. If the application is denied, the applicant shall be so notified.

(Ord. No. 33-2006/07, § 2.6-6, 6-7-07)

Sec. 30-47. Administrative action.

After a PD plan has been approved, building and sign permits shall be issued in accord with the approved plan as a whole or in stages, or portions thereof, as approved. Said permits shall be issued in the same manner as for building and sign permits generally.

(Ord. No. 33-2006/07, § 2.6-7, 6-7-07)

Sec. 30-48. Changes in approved PD plans.

(a) Except as provided in this section, approved PD plans shall be binding on the owner and any successor in title.

(b) Amendments to a planned development district may be authorized by ordinance of Florence County Council the governing authority after recommendation from the planning commission. These amendments constitute Zoning Ordinance amendments and must follow prescribed procedures for the amendments. The adopted plan may include a method for minor modifications to the sketch plan site plan or development provisions.

(c) Minor changes in approved PD sketch plan site plans may be approved by the zoning administrator on application by the applicant, upon making a finding that such changes are:

(1) In accord with all applicable regulations in effect at the time of the creation of the PD district; or
(2) In accord with all applicable regulations currently in effect.
(3) Changes less than ten percent from the original requirements.

(d) In reaching a decision as to whether the change will require planning commission approval, the zoning administrator shall use the following criteria:

(1) Any increase in intensity or use shall constitute a modification requiring planning commission approval. An increase in intensity of use shall be considered to be an increase in usable floor area, an increase in the number of dwelling or lodging units, or an increase in the amount of outside land area devoted to sales, displays, or demonstrations.
(2) Any change in parking areas resulting in an increase or reduction in the number of spaces approved shall constitute a change requiring planning commission approval.
(3) Structural alterations significantly affecting the basic size, form, style, and location of a building, as shown on the approved plan, shall be considered a change requiring planning commission approval.

(4) Any reduction in the amount of open space or buffer area, or any change in the location or characteristics of open space, shall constitute a change requiring planning commission approval.

(5) Any change in use from one use group to another shall constitute a change requiring planning commission approval.

(6) Any change in pedestrian or vehicular access or circulation.

(7) Any change or variation of phasing of development must be approved by the Planning Commission. Where improvements and/or "common" amenities or infrastructure are not completed, the next phase may be approved provided proper development plans have been approved and financial guarantees are provided in accordance with Sec. 30-45.

(Ord. No. 33-2006/07, § 2.6-8, 6-7-07; Ord. No. 27-2008/09, § 2, 6-4-09)

Secs. 30-49, 30-50. Reserved.

FLORENCE COUNTY COUNCIL:
This item is tentatively scheduled to appear for introduction Thursday, November 16, 2023 @ 9:00 a.m. at the Florence County Complex, 180 N Irby Street, Florence, SC 29501.

FLORENCE COUNTY PLANNING COMMISSION ACTION OCTOBER 24, 2023:
Seven Commission members voted 7 to 0 to approve the proposed text amendment.

FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:
Florence County Planning Commission recommends approval of the proposed text amendment request to the Florence County Council to amend Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 2. – PD PLANNED DEVELOPMENT DISTRICT.
AGENDA ITEM: Ordinance No. 20-2023/24
Third Reading

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance For Text Amendments To The Existing County “LAND USE” Section and Future County, “Land Use And Growth” Section Of The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan; And Other Matters Related Thereto.]
(Planning Commission approved (7 to 0)

POINTS TO CONSIDER:
1. The intent of this text amendment is to update the Florence County Comprehensive Plan to include five mixed-use zoning districts, one residential zoning district, and one special purpose district. These districts are intended to enhance our current zoning ordinance by providing a more diverse selection of zoning districts. The addition of five new mixed-use districts will offer more opportunity for the development of compatible commercial and residential uses, while the addition of a new residential district will offer more flexibility in housing options. Furthermore, the addition of one new special purpose district will help ensure responsible development while maintaining the integrity of corridors in the County.

OPTIONS:
1. (Recommended) Approve As Presented.

ATTACHMENTS:
1. Ordinance No. 20-2023/24
2. Staff Report for PC#2023-31
ORDINANCE NO. 20-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance For Text Amendments To The Existing County “LAND USE” Section and Future County, “Land Use And Growth” Section Of The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan; And Other Matters Related Thereto.]

WHEREAS:

1. The intent of this text amendment is to update the Florence County Comprehensive Plan to include five mixed-use zoning districts, one residential zoning district, and one special purpose district. These districts are intended to enhance our current zoning ordinance by providing a more diverse selection of zoning districts. The addition of five new mixed-use districts will offer more opportunity for the development of compatible commercial and residential uses, while the addition of a new residential district will offer more flexibility in housing options. Furthermore, the addition of one new special purpose district will help ensure responsible development while maintaining the integrity of corridors in the County.

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

1. The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan, shall be amended to read as follows:

LAND USE

The future land use of Florence County is of utmost concern as the growth of the County continues. Having an accurate and prepared guide for this growth will ensure that leaders are making sound decisions and steering the community in a positive direction. As such, there are several critical factors when reviewing land use. Zoning is one important part factor.

23 Zoning Districts within the Florence County, including the Unzoned Area

The County has 22 officially adopted base zoning districts and a large unzoned area to aid in planning for and managing growth and development. Of the 22 zoned districts, 14 are primarily
commercial or mixed use, while 8 are primarily residential. Newly developed areas can either develop in the unzoned areas or within a zoned district. Each district has its own zoning regulations that dictate the types and development intensity of land uses that are allowable within the district. In addition to the 22 adopted zoning districts and the unzoned area, Florence County has three zoning overlay districts, the Flood Hazard District, the Airport Compatibility District, and the Corridor Overlay District. These zoning overlay districts are designed to supplement the primary underlying zoning district classification for their specifically named purposes.

**Community Character Framework for Land Use Planning**

**Philosophy on this Approach**

Community character accounts for the physical traits one can see in a neighborhood, on a roadway corridor, or along a greenway trail which contribute to its “look and feel” relative to areas with much different character. Various land uses, including parks, can occur in a range of settings within a community, from the most rural and suburban to the most urban, provided they are designed to match the character of the area. The comprehensive planning process will be centered on the concept of “community character” as a way to enhance the approach Florence County takes to land use planning, farm land and rural conservation, and open space preservation. A character-based approach emphasizes the variation in physical conditions that is experienced along a spectrum from natural and rural landscapes at the edges of a community to its most urbanized environments, usually found in suburban areas. Looking beyond land use alone, a character focus considers how intensively land is used – or used only minimally in the case of some public parks or not at all in preserved natural areas.

**Land use intensity involves three key elements:**

A. The density and layout of residential development;

B. The scale and form of non-residential development; and,

C. The amount of building and pavement coverage relative to the extent of open space and natural vegetation or landscaping.

How the automobile is accommodated is a key factor in distinguishing character types including how public streets are designed, how parking is provided, and how buildings and paved areas are arranged on sites. Among the four major character classes:

- **Variable** character areas have wide open spaces and a mixture of commercial and residential uses. This area makes up the majority of the undeveloped areas of the county as well as areas that are transitioning into more developed areas. *Zoning Districts appropriate in the Variable Development District Future Land Use Category include B1, B2, B3, B5, B6, R1, R3, R3A, RU-1, RU-1A, RU-2, TH, MR, MMF, FO/LI, CMU, and PD. However, to clarify that certain areas of the County are prescribed for a more intense land use than others, there are two Variable Development Districts, which include:*
Variable Development District 1: B1, B2, B3, RU-1, RU-1A, R1, R3, R3A, TH, MR, MMF, FO/LI, CMU and PD: This generally focuses on the first 500 feet from urban corridors and the majority of the Rural land in Florence County. For parcels that are greater than 500 feet deep, the entirety of the parcel could be developed in the preferred zoning district if approved by Council when rezoning. Overall, this area will include most areas within ½ mile from Suburban or Urban categories.

Variable Development District 2: B5, B6, RU-1, RU-1A, RU-2, FO/LI and PD: This area is specified in Florence County as specifically for industrial parks and growth as well as large lot residential development. This is also a district option for Rural land.

- **Suburban** character areas have noticeably less intensive use of land than Urban areas, with open and green spaces balancing – or, in estate sized areas, exceeding – the extent of land covered by structures and paved surfaces. *Zoning Districts appropriate in the Suburban District Future Land Use Category include R1, R2, R3, R3A, B1, MR, and PD.*

- **Urban** character areas exhibit the greatest pedestrian orientation, through a more compact scale and “architectural enclosure” of streets by buildings situated close to front property lines and sidewalks. Within the Urban class, auto urban character areas are a particular planning challenge as they are designed mainly to accommodate automobile circulation and parking. This is the main type of Urban development in Florence County. The extent of land cover by buildings and paved surfaces is similar to Urban areas, but often without a pedestrian orientation as in traditional downtowns. This is especially true where development is spread across the landscape more horizontally relative to more compact “development nodes” and “activity centers” that enable multi-purpose trips and walking or biking between destinations. *Zoning Districts within Florence County appropriate in the Urban District Future Land Use Category include B1, B2, B3, R3A, R4, R5, R5A, TH, MR, MMF, MU, CMU, and PD.*

- Much like Urban character areas, **Downtown** character areas are categorized by development very close to or within the proximity of a municipal downtown. As Florence County does Land Use planning for several municipalities therein, including the Downtown Development District Future Land Use Category is necessary with the allowed zonings of B4, MU, CMU and PD.

**Future Land Use Map**

The Future Land Use Map is a graphical representation of the policies and goals in this plan. These designations and their placement is very specifically designed to promote the ideals of character found in each district.

- **Variable** character areas have wide open spaces and a mixture of commercial and residential uses. This area makes up the majority of the undeveloped areas of the county as well as areas that are transitioning into more developed areas. *Zoning Districts appropriate in the Variable Development District Future Land Use Category include B1, B2, B3, B5, B6, R1, R3, R3A, RU-1, RU-1A, RU-2, TH, MR, MMF, FO/LI, CMU, and PD.* However, to clarify that certain areas of the County are prescribed for a more intense land use than others, there are two Variable Development Districts, which include:
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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 provision of this Ordinance are severable.

ATTEST:       SIGNED:

_____________________________ ___________________________
Hope M. Jones, Council Clerk Willard Dorriety, Jr., Chairman

COUNCIL VOTE:
APPROVED as to Form and Content
D. Malloy McEachin, Jr., County Attorney

OPPOSED:
ABSENT:
SUBJECT: Request For Text Amendments To The Existing County “LAND USE” Section and Future County, “Land Use And Growth” Section Of The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan.

APPLICANT: Florence County

Staff Analysis:
The intent of this text amendment is to update the Florence County Comprehensive Plan to include five mixed-use zoning districts, one residential zoning district, and one special purpose district. These districts are intended to enhance our current zoning ordinance by providing a more diverse selection of zoning districts. The addition of five new mixed-use districts will offer more opportunity for the development of compatible commercial and residential uses, while the addition of a new residential district will offer more flexibility in housing options. Furthermore, the addition of one new special purpose district will help ensure responsible development while maintaining the integrity of corridors in the County.

The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan, shall be amended to read as follows:

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4723 Zoning Districts within the Florence County, including the Unzoned Area
The County has 4622 officially adopted base zoning districts and a large unzoned area to aid in planning for and managing growth and development. Of the 4622 zoned districts, 914 are primarily commercial or mixed use, while 78 are primarily residential. Newly developed areas can either develop in the unzoned areas or within a zoned district. Each district has its own zoning regulations that dictate the types and development intensity of land uses that are allowable within the district. In addition to the 4622 adopted zoning districts and the unzoned area, Florence County has two three zoning overlay districts, the Flood Hazard District, and the
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**FLORENCE COUNTY COUNCIL:**
This item is tentatively scheduled to appear for introduction Thursday, November 16, 2023 @ 9:00 a.m. at the Florence County Complex, 180 N Irby Street, Florence, SC 29501.

**FLORENCE COUNTY PLANNING COMMISSION ACTION OCTOBER 24, 2023:**
Seven Commission members voted 7 to 0 to approve the proposed text amendment.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**
Florence County Planning Commission recommends approval of the proposed text amendment request to the Florence County Council to amend The Existing County “LAND USE” Section and Future County, “Land Use And Growth” Section Of The Florence County 2032: Connecting Our Past, Defining Our Future Comprehensive Plan.
AGENDA ITEM: Ordinance No. 21-2023/24
Third Reading

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE I. – ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY, And ARTICLE II. – ZONING DISTRICT REGULATIONS, And ARTICLE X. – DEFINITIONS; And Other Matters Related Thereto.] (Planning Commission approved (7 to 0)

POINTS TO CONSIDER:
1. The intent of this text amendment is to update the Florence County Code of Ordinances to include five mixed-use zoning districts, one residential zoning district, and one special purpose district. These districts are intended to enhance our current zoning ordinance by providing a more diverse selection of zoning districts. The addition of five new mixed-use districts will offer more opportunity for the development of compatible commercial and residential uses, while the addition of a new residential district will offer more flexibility in housing options. Furthermore, the addition of one new special purpose district will help ensure responsible development while maintaining the integrity of corridors in the County. This update also includes all applicable regulations for the proposed new zoning districts and overlay district, along with the addition of definitions needed for accurate interpretation.

OPTIONS:
1. **(Recommended)** Approve As Presented.

ATTACHMENTS:
1. Ordinance No. 21-2023/24
2. Staff Report for PC#2023-32
ORDINANCE NO. 21-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE I. – ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY, And ARTICLE II. – ZONING DISTRICT REGULATIONS, And ARTICLE X. – DEFINITIONS; And Other Matters Related Thereto.]

WHEREAS:

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

1. The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE I. – ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY. Shall be amended to read as follows:
Sec. 30-1. - Establishment of districts.

For purposes of this chapter, the following zoning districts are hereby established:

<table>
<thead>
<tr>
<th>Residential Districts</th>
<th>Business Districts</th>
<th>Rural Districts</th>
<th>Special Purpose Districts</th>
<th>Mixed-Use Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1, single-family, large lots</td>
<td>B-1, limited</td>
<td>RU-1, RU-1A community</td>
<td>PD, planned development</td>
<td>MR, lower density mixed residential</td>
</tr>
<tr>
<td>R-2, single-family, medium lots</td>
<td>B-2, convenience</td>
<td>RU-2, resource</td>
<td>FH, flood hazard</td>
<td>MMF, mixed multi-family</td>
</tr>
<tr>
<td>R-3 and R-3A, single-family, small lots</td>
<td>B-3 general</td>
<td>AC, airport compatibility</td>
<td>FO/LI, flex office/light industrial</td>
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<tr>
<td>R-4, multi-family, limited</td>
<td>B-4, central</td>
<td>CO, corridor overlay</td>
<td>MU, mixed use</td>
<td></td>
</tr>
<tr>
<td>R-5 and R-5A, multi-family</td>
<td>B-5, office-light industrial</td>
<td></td>
<td>CMU, commercial mixed use</td>
<td></td>
</tr>
<tr>
<td>TH, townhouse</td>
<td>B-6, industrial</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sec. 30-2. - Purpose of districts.

Collectively, these districts are intended to advance the purposes of this chapter, as stated in the preamble. Individually, each district is designed and intended to accomplish the following more specific objectives.

**Residential districts:**

*R-1, R-2, R-3 and R-3A single-family residential districts:* Aside from differences in lot sizes and densities, these districts are intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.

*R-4 multi-family residential district, limited:* This district is intended to promote and accommodate residential development consisting principally of single-family and two-family dwellings, and related support uses.

*R-5 and R-5A multi-family residential districts:* This district is intended to accommodate higher density residential development and a variety of housing types on small lots or in project settings in areas accessible by major streets and in proximity to commercial uses, employment opportunities, and community facilities. It is further intended to permit development flexibility in meeting the demands and preferences of a changing housing market, and doing so in an orderly, compatible manner.

*TH townhouse district:* The intent of the TH district is to allow the by-right creation of townhouse neighborhoods to improve housing choice and affordability and, as needed, to serve as a buffer between higher intensity and lower intensity uses.
Business districts:

*B-1 limited business district:* This district is intended to accommodate office, institutional, and residential uses in areas whose character is changing, or where such a mix of uses is appropriate. It is designed principally for use along major streets dominated by older houses in transition.

*B-2 convenience business district:* The intent of this district is to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in these districts are of the "convenience variety." The size of this district should relate to surrounding residential markets and the location should be at or near major intersections, in proximity to and/or on the periphery of residential areas.

*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-4 central commercial district:* The intent of this district is to promote the concentration and vitality of commercial and business uses in the downtown area. This district is characterized by wall-to-wall or lot line to lot line development, sidewalks, and public parking lots.

*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.

*B-6 industrial district:* The intent of this district is to accommodate certain industrial uses which, based on their operational characteristics are potentially incompatible with residential, social, medical, and commercial environs. As a result, the establishment of such districts shall be restricted to areas geographically removed or buffered from such environs.

Rural districts:

*RU-1 and RU-1A 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.

*RU-2 rural resource district:* The intent of this classification is to conserve and protect from urban encroachment rural characteristics and resources, particularly agricultural, and maintain a balanced rural-urban environment.

The retention of open lands, woodlands, and wetlands, which make up a large part of this area, are essential to clean air, water, wildlife, many natural cycles, and a balanced environment, among other things. Even more essential from an economic perspective are the agricultural lands and farming operations in this area. Also provided by this district is a rural environment preferred by many people over subdivisions and higher density urban or community settings.
Special purpose districts:

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

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

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

*FH flood hazard district:* It is the intent of this district to protect human life and health, minimize property damage, encourage appropriate construction practices, and minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

Additionally, this district is intended to help maintain a stable tax base by providing for the sound use and development of flood-prone areas and to ensure that potential home buyers are notified that property is in a flood area. The provisions of this district are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets and bridges located in the floodplain, and prolonged business interruptions; and to minimize expenditure of public money for costly flood control projects and rescue and relief efforts associated with flooding.

*AC airport compatibility district:* It is the intent of this district to protect the dual interests of airports and neighboring land uses, and to:

1. Protect and promote the general health, safety, economy, and welfare of airport environs,
2. Prevent the impairment and promote the utility and safety of airports,
3. Promote land use compatibility between airports and surrounding development,
4. Protect the character and stability of existing land uses, and
5. Enhance environmental conditions in areas affected by airports and airport operations.
**CO corridor overlay district:** The intent of the corridor overlay district is to improve or maintain the appearance and function of a corridor by controlling signage and landscaping and establishing requirements for access, non-motorized facilities, and overall site design.

**Mixed – use districts:**

*MR lower density mixed residential district:* The intent of the MR district is to improve housing options within the county by allowing by-right creation of lower density neighborhoods that contain a mix of 1, 2, 3, and 4-unit housing types.

*MMF mixed multi-family district:* The intent of the MMF district is to improve housing choice and affordability within the county by allowing by-right creation of multi-family neighborhoods that contain a mix of higher density housing options.

*FO/LI flex office/light industrial district:* The intent of the FO/LI district is to promote moderate-scale office and light industrial spaces mixed horizontally or vertically within a development site. A special focus of this district is the creation of craft-oriented maker spaces such as studios that allow for the creation, fabrication, and repair of products and the preparation of food products that may include metalworking, woodworking, crafting, ceramics, technology, and similar processes with low risk of anticipated offsite impacts related to light, noise, odor, vibration, heat, and dust. These spaces may allow for small to medium-size group collaboration, creation, and instruction as well as retail sales.

*MU mixed-use district:* The intent of the MU district is to allow a range of uses including residential, commercial, office, institutional, and flex office/light industrial mixed horizontally or vertically on a development site.

*CMU commercial mixed-use district:* The intent of the CMU district is to allow a range of uses including residential, commercial, office, institutional, and light industrial mixed horizontally or vertically on a development site where the predominate use is street-level commercial spaces.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION I - GENERALLY; shall be amended to read as follows:

**Sec. 30-26. - Establishment of regulations.**

The uses permitted in the several zoning districts established by article I, the off-street parking requirements, and the dimensional requirements of each are set forth herein. The requirements for uses in residential, business, and rural districts are presented on tables.

Section 30-28 (Table I) sets forth use and off-street parking requirements for the five residential districts. Section 30-29 (Table II) establishes use and off-street parking requirements for business and rural districts. Section 30-30 (Table III) sets forth lot area, yard, setback, height, density, floor area, and impervious surface requirements for all residential, business, and rural
districts. Article II, division 2 establishes regulations for the planned development district. Article II, division 3 prescribes regulations for development in open space development districts (cluster developments). Article II division 4 prescribes regulations for development in the flood hazard district. Article II, division 5 establishes regulations for the airport compatibility district. Article II, division 6 establishes requirements for riparian buffers. Article II, division 7 establishes regulations for the corridor overlay district. Article II, division 8 establishes regulations for townhouse and mixed-use districts. Section 30.8.1 (Table XI) sets forth use and off-street parking requirements for the five mixed-use districts and the townhouse district. Section 30-80.5 sets forth lot area, yard, setback, height, density, floor area, and impervious surface requirements for townhouse and mixed-use districts.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, Division 7, Corridor Overlay District; shall be added and will read as follows:

Secs. 30-79—30-90. - Reserved.

DIVISION 7. – CORRIDOR OVERLAY DISTRICT

Sec. 30-79.1 Effect of Corridor Overlay Zoning; Relationship to Plans and Policies.
(a) Effect. The Corridor Overlay zoning district regulations of this Division apply in addition to underlying (base) zoning district regulations to impose specific development regulations for properties within the corridor district. Wherever the regulations of this Division and other regulations contained within Chapter 30 conflict, the regulations of this Division shall control.

(b) Relationship to Plans and Policies. In addition to all other stated purposes, individually and collectively the Corridor Overlay zoning district is intended to advance the purposes of the Comprehensive Plan, corridor plans, landscape/streetscape plans and strategies, and similar policies adopted by the county.

Sec. 30-79.2. Uses
(a) Uses Permitted. Unless prohibited as listed in this Division, all uses permitted within the underlying district are permitted in the corridor overlay in the same manner and with the same restrictions provided they meet all the requirements of this Division and any additional conditions as listed.

(b) Additional Conditions. The following additional conditions must be met for the listed uses.
   (1) Communication Towers and Antennas. Towers and freestanding antennas are prohibited within 100 feet of the corridor roadway unless the bottom 35 feet of such tower or antenna is screened from view by buildings located on the site.

(c) Uses Prohibited. The following uses are expressly prohibited within the corridor.
   (1) Storage and stockpiling of sand, gravel, or other aggregates.
   (2) Unscreened outdoor storage.
   (3) Sexually oriented businesses.
(4) Unscreened vehicular storage not associated with vehicle sales including, but not limited to, automobiles, trucks, construction equipment, boats, and RVs.

(5) Above-ground fuel storage intended for retail or wholesale.

(6) Outdoor shooting and target ranges for firearms, archery, and similar activities.

(7) Warehousing and storage facilities.

(8) Manufactured home and storage building sales lots.

(9) Outside storage or sales of motor vehicles and playground equipment.

**Sec. 30-79.3. Building and Structure Design.**

(a) **Materials.** Unfinished concrete block masonry and plain corrugated/sheet metal (sinewave) shall be prohibited on all exterior building faces. B-deck, box rib, and similar decorative styles of corrugated sheet metal are acceptable except that such facing shall be for accent only in residential and mixed-use districts.

*Figure 1 Finished concrete block is acceptable.*

*Figure 2 Unfinished block is not acceptable.*

*Figure 3 Decorative styles of sheet metal, such as box rib, are acceptable.*
(b) **Color.**

(1) All colors used on buildings and structures must be subtle, neutral, or earthtone or otherwise relate to appropriate historic building colors found within the County. Luminescent, sparkling, reflective, fluorescent, and intense colors are prohibited.

(2) Color schemes should be simple and coordinated over an entire building to establish a sense of overall composition.

(3) Metals must be brushed finish or painted in muted tones to minimize glare. Gutters and downspouts must be of a color that matches or complements the color scheme of the structure.

(4) The colors used on structures within a development site must be coordinated and similar or complementary to each other.

(c) **Orientation.** All buildings fronting the corridor roadway shall be oriented so that the primary building facade faces that roadway.

(d) **Access.** All buildings fronting the primary public roadway shall be designed with a minimum of one pedestrian access point facing that roadway.

(e) **Front Stoops and Porches.** Front stoops and porches shall have a minimum depth of six feet. Stoops and porches may encroach into a front setback a maximum of six feet but shall not be less than five feet from any property line and must meet the floodplain requirements.

**Sec. 30-79.4. Mechanical and Utility Equipment.**

(a) **Location of Mechanical Equipment.** Mechanical equipment shall be located on the side, rear, or roof of buildings fronting the corridor roadway. Rooftop equipment shall be screened from view from the roadway.
(b) **Distributed Energy Equipment.** Equipment related to onsite energy generation is permitted only as an attached, integral element of a building or decorative structure such as a clock tower. Freestanding equipment and large-scale energy generation is not permitted.

(c) **Utility Lines.** All utility lines such as electric, water, sewer, stormwater, fiber, telephone, and cable providing onsite services shall be located underground.

**Sec. 30-79.5. Landscape Design.**

(a) **Perimeter Parking Lot Landscaping.** Landscaped areas shall be provided to provide visual and climatic relief from broad expanses of pavement and to define logical areas for pedestrian and vehicular circulation.

1. A landscape buffer shall be provided between adjacent street right-of-way and parking lot with a minimum of six feet in width and one canopy tree at a maximum of 50 feet spacing.

2. Canopy trees shall be a minimum size of three-inch caliper.

(b) **Interior Parking Lot Landscaping.**

1. Landscaping within parking areas shall be equal to a minimum of ten percent of the total paved area.

2. Each landscaped area shall be a minimum of 100 square feet.

3. Within the interior, landscape islands shall be provided for any open vehicular use area containing ten or more parking spaces. As an alternative, landscaped six feet wide center medians located between all linear rows of parking facing head-to-head may be provided with one canopy tree located every 50 linear feet of median.

4. The landscape islands shall be a minimum of six feet wide and include one canopy tree. Canopy trees should be of a species that will not be hindered by or cause significant damage to adjacent concrete, curbing and or asphalt.

5. A landscaped island (singular or head-to-head) shall be required at the ends of each row of parking spaces.

![Figure 6 Perimeter parking lot landscaping.](image-url)
(6) One canopy tree shall be required for each 100 square feet of required landscaping.

(7) Canopy trees shall be a minimum size of three-inch caliper.

(c) **Street Trees.** Street trees shall be provided to enhance the appearance and viability of the community.

(1) Trees shall be provided within a landscaped buffer area between the back of curb or edge of pavement of the corridor roadway and sidewalk or shared-use pathway. The landscaped buffer area shall be not less than 5 feet in width. Where a 5-foot landscaped buffer area is not possible, applicant may work with staff to determine a feasible alternative.

(2) Trees shall be at a minimum of one canopy tree for each 50 feet of road frontage, planted on-center.

(3) These canopy trees are to be a minimum of 14 feet in height, shall be a minimum of three-inch caliper, and with a minimum six-foot clear trunk, at planting.
Sec. 30-79.6. Lighting Design.

(a) **Trespass and Glare.** All lighting shall be from a concealed source as viewed from a public roadway and oriented to prevent light trespass and glare.

(b) **Impact on Residential Parcels.** Lighting adjacent to an offsite residential area shall be directed away from residences and residentially zoned lots.

Sec. 30-79.7. Parking and Loading Design.

(a) **Parking Area Location.**

   (1) **All Districts Except Single-Family and Townhouse Districts.** No more than one aisle of parking (two rows maximum) shall be permitted between a building and the corridor roadway. The remainder of the parking may be to the rear and side of the building behind the front building line.
(b) **Number of Parking Spaces.** Parking requirements as listed in the Schedule of Permitted Uses shall be interpreted as the maximum number of parking spaces permitted within the corridor for a particular use. An exception to this requirement is the maximums for residential uses within the MR, TH, and MMF districts which shall only apply to open-air (surface) parking and to approved requests for an increase in the number of parking spaces.

(c) **Requests for Increases in the Number of Parking Spaces.** An applicant may petition the planning commission for permission to exceed the maximum number of parking spaces. Such approval may be for regular parking or for occasional overflow parking needed for events.

1. Approval of such a petition may require that parking initially be limited to the maximum number prescribed pending eventual occupancy and performance of the space.

2. The site plan must clearly indicate where allowed parking and requested expanded parking areas will occur and show enough design detail to demonstrate a future expansion will be safely integrated into the allowed parking.

3. If phased parking construction is required, the area for expansion shall be maintained as undisturbed open space. If it is determined that grading or disturbing these areas during development is necessary, the areas shall be stabilized and re-vegetated prior to the issuance of a certificate of occupancy.

4. For expansions of regular parking, adherence to landscaping and buffer requirements for expansion areas shall not occur until or unless such additional parking is constructed. Parking lot landscaping requirements may be waived in whole or part by the Planning Commission for overflow parking areas.

5. Any non-paved surface used for overflow parking that cannot be maintained with healthy, living turf grass or similar live ground cover shall be paved with approved permeable pavers.

6. The marking of spaces for overflow parking is not required; however, the property owner will be required to ensure that all site use for overflow parking routinely includes
drive aisles, turn-arounds, connections, and other motorized and non-motorized safety features that meet all requirements of this Chapter.

(d) Location of Parking Spaces. Off-street parking is permitted in required yard and setback areas as provided in this Division but shall not be permitted in any required buffer area. All parking must occur in approved parking spaces.

(e) On-street Parking. On-street parking is allowed and encouraged along all local roads except that certain sections of roadway may be required by the zoning administrator to be marked as no parking to ensure public safety. Curb bulbouts shall be provided at intersections to cap rows of on-street parking.

(f) Shared Parking. Shared parking between multiple uses on a site and between development sites within 500 feet of one another is encouraged. Any off-site parking to be used shall require the recording of a perpetual easement prior to occupancy in the office of the Clerk of Court of Florence County, the form and substance of which must be approved by the zoning administrator.

(g) Loading Area Location. Loading areas shall be in approved loading areas and screened from the corridor roadway.

(h) Surface Parking Materials. Unless otherwise permitted in this Section, parking spaces, drives and aisles shall be constructed of either concrete, asphalt, or concrete pavers, of permeable or impermeable construction. Base material and pavement structure must be suitable for the traffic anticipated to utilize the facility, including emergency vehicles, garbage trucks, and delivery trucks.
Sec. 30-79.8. Motorized and Non-Motorized Cross Access and Driveway Connections.

(a) **Cross-Access Facilities.** Where cross-access facilities exist for vehicular or non-vehicular travel on adjacent lots, development sites must connect to such facilities. Where cross-access facilities do not exist on adjacent lots, development sites shall be designed to accommodate both vehicular and non-vehicular connections in the future. Site plans shall clearly indicate and mark the type and location of future access points.

(b) **Onsite Connections.** Pedestrian and bicycle access is required between offsite planned or existing non-motorized facilities (e.g., sidewalks, multi-use paths, greenways) and onsite building entrances.

(c) **Offsite Facility Construction.** Where offsite non-motorized facilities are proposed within the corridor by approved plans, or the development site abuts an existing facility, each development must construct or extend such facilities along the length of their site consistent with the adopted plan and construction detail.

(d) **Safe Access.** Walkways and bikeways must be designed, located, and signed in a way that ensures safe access across the development site and all ANSI 117.1 access requirements are met.

Sec. 30-79.9. Curb Cut Restrictions.

(a) **Number Restricted.**

   (1) **New Development.** All parcels in a corridor overlay are allowed one curb cut per 250 feet of road frontage, except for single-family detached residentially zoned parcels and parcels containing single-family detached residential uses on local roads which shall be permitted one access regardless of frontage length.
(2) **Redevelopment of Existing Lots.** Where curb cuts for existing parcels do not meet the standards specified in this Section, redevelopment of such parcels shall include a plan for curb cut consolidation and relocation consistent with this Section.

(b) **Plan Required.** As a condition of application approval for a rezoning or for a zoning permit to allow a use other than construction on a single-family residential lot without alternate access, a suitable access management plan must be submitted demonstrating that the 250-foot driveway separation requirement can be met. The following techniques may be employed to achieve this result, but the burden of accomplishing the desired effect remains with the applicant:

1. Aggregation of parcels
2. Construction of a parallel frontage road or drive
3. Shared access

(c) **Shared Access.** Shared access (driveway) is encouraged. To approve a plan for shared access, a legally binding and recorded shared access agreement must be submitted to the zoning administrator prior to permit approval. Recording shall be with the Clerk of Court of Florence County.

(d) **New Roads.** New roads shall meet all applicable standards of Florence County's development standards in addition to the following standards.

1. **Stub Outs Required.** New roads shall be stubbed out to adjacent parcels for future continuation. Adequate turn-around space meeting the county’s road requirements shall be incorporated into the end of each stub that is longer than 150 ft.

2. **Alley Access Encouraged.** Alley access for new residential and mixed-use subdivisions is encouraged.

(e) **Waiver.** The applicant may receive a waiver of the curb cut distance requirement from the Zoning Board of Appeals (BZA) if:

1. Florence County determines that items (1) and (2) listed in subsection (b) above are impracticable, and
2. The applicant demonstrates to the satisfaction of the BZA that:

![Figure 12 Shared access.](image-url)
a. The applicant tried in good faith to obtain a shared access agreement without success, or
b. The nature of the zoning, use, or development pattern on adjoining lots is incompatible with the proposed use of the subject property. For example, it would be incompatible for a residential use to share access with a commercial or industrial use unless it is part of a mixed-use development project.

(f) **Distance From Intersection.** The minimum distance from a street intersection for a new residential or commercial use curb cut shall be 200 feet on arterial roads, 75 feet on collector roads, and 50 feet on local roads, measured from the edge of the intersecting roadway to the edge of the driveway radius. These minimum spacing requirements will be increased if a right-turn deceleration lane is required and shall equal the length of the turn lane and taper plus an additional distance of 50 feet.

![Image of minimum distances between an intersection and curb cut.](image)

(g) **Road Classification and Access.** Residential parcels with frontage along two or more roads shall obtain access from the road with the lowest functional classification. The Zoning
Administrator may require or prohibit secondary access via an adjacent street on corner lots being developed for mixed-use, multifamily, or non-residential purposes depending on anticipated impacts and road capacity.

Sec. 30-79.10. Sign Restrictions.

(a) **Applicability.** The following restrictions shall apply to all signs located on private property visible from a public roadway and non-motorized facilities.

(b) **Freestanding Signs.**

   (1) Only monument signs are permitted.
   
   (2) A maximum of one sign shall be permitted per road frontage per development site.
   
   (3) Signs shall not exceed 50 square feet per sign face.
   
   (4) A maximum of two sign faces are permitted per sign structure.
   
   (5) Signs, including the structure on which they are located, shall not exceed 10 feet in height.
   
   (6) Signs shall be set back a minimum of ten feet from the edge of right-of-way.
   
   (7) Only internal illumination of sign faces and structures is permitted.
   
   (8) Signs shall be designed and located so they do not interfere with the safe movement of motorized and non-motorized traffic.
   
   (9) Any other standard as listed in Article V not covered by this subsection shall be applicable to freestanding signs.

(c) **Wall Signs.** The maximum building coverage of wall signs for non-residential and mixed-use buildings shall be limited to one square foot of signage per linear foot of non-residential building frontage up to a maximum of 100 square feet. All other requirements for wall signs as well as requirements for signage in residential districts shall meet the standards for signs as listed in Article V.

(d) **Prohibited Signs.** The following sign types and sign elements shall be prohibited:

   (1) Flashing, blinking, strobing, spinning
   
   (2) Audible components
   
   (3) Portable signs
   
   (4) Billboards

Sec. 30-80—30-90. Reserved.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, Division 8, Townhouse and Mixed-Use Districts; shall be added and will read as follows:

**DIVISION 8. – TOWNHOUSE AND MIXED-USE DISTRICTS**
Sec. 30-80.1. Effect of Townhouse and Mixed-Use Districts; Relationship to Plans and Policies.

(a) **Effect.** Townhouse and mixed-use zoning district regulations as established in this Division apply in addition to all other general zoning district regulations. Wherever the regulations of this Division and other regulations contained within Chapter 30 conflict, the regulations of this Division shall control.

(b) **Relationship to Plans and Policies.** In addition to all other stated purposes, individually and collectively townhouse and mixed-use zoning districts are intended to advance the purposes of the Comprehensive Plan, corridor plans, and similar policies adopted by the county.

Sec. 30-80.2. Uses Permitted

(a) **In General.** The following Schedule of Permitted and Conditional Uses indicates uses that are permitted within the districts. Signs are permitted as primary and accessory uses provided they meet all the requirements of this Division and, unless in conflict with this Division, the requirements of Article V.

(b) **Table Interpretation.** A “P” indicates the use is permitted in the indicated district, provided it complies fully with all applicable development standards of this chapter. A “C” indicates the use is conditional and must meet additional conditions as outlined in this Division. An “SE” indicates the use is a special exception subject to additional use conditions outlined in this Division as well as general conditions and procedural requirements as detailed in Article IX of this ordinance. Where the letter “N” is shown, the use to which it refers is not permitted in the indicated district. Where a given use or NAICS reference is not listed in this table, said use shall not be permitted.

(c) **Table XI: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements**

<table>
<thead>
<tr>
<th>NAICS</th>
<th>Zoning Districts by Type</th>
<th>Off-Street Parking Maximums</th>
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<td>Lawn &amp; garden equipment &amp; supplies stores, excluding farm supply</td>
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</tr>
<tr>
<td>Flea markets (Sec. 30-80.4(i))</td>
<td>4533</td>
<td>N</td>
</tr>
<tr>
<td>Automotive fuel stations including</td>
<td>4571</td>
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<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
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<tr>
<td>-------</td>
<td>--------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>electric vehicle charging stations (Sec. 30-80.4(h))</td>
<td></td>
<td></td>
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<tr>
<td>All other retail, excluding farm supply</td>
<td>455, 458, 459</td>
<td>N N N P P N</td>
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<tr>
<td><strong>Transportation Warehousing</strong></td>
<td></td>
<td></td>
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<tr>
<td>Air transportation excluding freight</td>
<td>481</td>
<td>N N N N N P</td>
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<tr>
<td>Rail transportation</td>
<td>482</td>
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<tr>
<td>Transit and ground passenger transportation (Sec. 30-80.4(d))</td>
<td>485</td>
<td>C C C P P P</td>
</tr>
<tr>
<td>Couriers &amp; messengers</td>
<td>492</td>
<td>N N N P P P</td>
</tr>
<tr>
<td>Scenic &amp; sightseeing transportation</td>
<td>487</td>
<td>N N N P P N</td>
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<tr>
<td>Support activities for transportation (Sec. 30-80.4(e))</td>
<td>488</td>
<td>N N N C C C</td>
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<tr>
<td>U.S. Postal Service</td>
<td>491</td>
<td>N N N P P P</td>
</tr>
<tr>
<td>Warehousing &amp; storage</td>
<td>493</td>
<td>N N N N N N P</td>
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<td><strong>Information</strong></td>
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<td>Publishing Industries</td>
<td>511</td>
<td>N N N P P P</td>
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<tr>
<td>Motion pictures &amp; sound industries</td>
<td>512</td>
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<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
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</tr>
<tr>
<td>512131</td>
<td>TH MR MMF MU CMU FO/LI</td>
<td>1.0 per 5 seats</td>
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<td>513</td>
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<td>5131</td>
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</tr>
<tr>
<td>5133</td>
<td>TH MR MMF MU CMU FO/LI</td>
<td>None</td>
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<tr>
<td>514</td>
<td>TH MR MMF MU CMU FO/LI</td>
<td>1.0 per 350 s.f. GFA</td>
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<tr>
<td>519120</td>
<td>TH MR MMF MU CMU FO/LI</td>
<td>1.0 per 350 s.f. GFA</td>
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<td>521</td>
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<td>TH MR MMF MU CMU FO/LI</td>
<td>1.0 per 350 s.f. GFA</td>
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<td>Off-Street Parking Maximums</td>
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<tr>
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<tr>
<td></td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>Rental &amp; leasing services</td>
<td>532</td>
<td>N</td>
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<tr>
<td>Professional, Scientific, Technical Services</td>
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<td></td>
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<td>Professional, scientific, technical services</td>
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<tr>
<td>Legal services</td>
<td>5411</td>
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<tr>
<td>Engineering, accounting, research management &amp; related services</td>
<td>5412-9</td>
<td>N</td>
</tr>
<tr>
<td>Tax return prep, service</td>
<td>541213</td>
<td>N</td>
</tr>
<tr>
<td>Photographic studios, portraits</td>
<td>54192</td>
<td>N</td>
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<tr>
<td>Veterinary services</td>
<td>54194</td>
<td>N</td>
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<tr>
<td>Management of Companies and Enterprises</td>
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<td>Mgmt. of companies and enterprises</td>
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<td>N</td>
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<tr>
<td>Administrative and Support and Waste Management and Remediation Services</td>
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<td>Administrative &amp; support services</td>
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<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Side Parking Maximums</td>
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<tr>
<td>---------</td>
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</tr>
<tr>
<td></td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>Landscape services</td>
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<td><strong>Educational Services</strong></td>
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<td>Elementary schools</td>
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<tr>
<td>Secondary schools</td>
<td>6111</td>
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<tr>
<td>Jr. colleges, colleges, universities, professional schools</td>
<td>6112-3</td>
<td>N</td>
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<tr>
<td>Business schools, computer, &amp; management training</td>
<td>6114-5</td>
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<tr>
<td>Other schools and instruction</td>
<td>6116</td>
<td>N</td>
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<td>Education support services</td>
<td>6117</td>
<td>N</td>
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<tr>
<td><strong>Health Care and Social Assistance</strong></td>
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<td>Ambulatory Health Care Services</td>
<td>62</td>
<td>N</td>
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<tr>
<td>Medical &amp; dental laboratories</td>
<td>6215</td>
<td>N</td>
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<tr>
<td>Home health care services</td>
<td>6216</td>
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<tr>
<td>Hospitals</td>
<td>622</td>
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<tr>
<td>NAICS</td>
<td>Nursing &amp; residential care facilities (Sec. 30-80.4(f))</td>
<td>Social services</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------------------------</td>
<td>-----------------</td>
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<tr>
<td>623</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Nursing &amp; residential care facilities (Sec. 30-80.4(f))</td>
<td>Social services</td>
</tr>
<tr>
<td></td>
<td>0.4 per bed, plus 1.0 space per 500 s.f. GFA</td>
<td>1.0 per 350 s.f. GFA</td>
</tr>
<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td></td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>Golf courses, public &amp; private</td>
<td>71391</td>
<td>P</td>
</tr>
<tr>
<td>Physical fitness facilities</td>
<td>71394</td>
<td>N</td>
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<tr>
<td>Public parks, playgrounds, &amp; community centers</td>
<td>71394</td>
<td>P</td>
</tr>
<tr>
<td>Swimming &amp; tennis clubs</td>
<td>71394</td>
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</tr>
<tr>
<td>Bowling centers</td>
<td>71395</td>
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</tr>
<tr>
<td>Coin operated amusement non-cash payouts</td>
<td>71399</td>
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<td>All other amusement &amp; recreational industries</td>
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<tr>
<td>Accommodation and Food Services</td>
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<td>Bed and breakfast inns (Sec. 30-93)</td>
<td>721191</td>
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<td>Hotels</td>
<td>721110</td>
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<td>Rooming &amp; boarding houses, dormitories, group housing</td>
<td>72121</td>
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<tr>
<td>Eating places</td>
<td>7221-3</td>
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<td>Drinking places (Sec. 30-110)</td>
<td>7224</td>
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<tr>
<td>Other Services (except Public Administration)</td>
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<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
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</tr>
<tr>
<td></td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>Auto repair &amp; maintenance</td>
<td>8111</td>
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<tr>
<td>Other repair</td>
<td>8112-4</td>
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</tr>
<tr>
<td>Shoe repair, shoeshine shops</td>
<td>81143</td>
<td>N</td>
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<tr>
<td>Personal &amp; laundry services</td>
<td>812</td>
<td>N</td>
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<tr>
<td>Personal care services</td>
<td>8121</td>
<td>N</td>
</tr>
<tr>
<td>Tattoo facilities</td>
<td>812199</td>
<td>N</td>
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<tr>
<td>Laundry &amp; drycleaning services</td>
<td>8123</td>
<td>N</td>
</tr>
<tr>
<td>Pet care</td>
<td>81291</td>
<td>N</td>
</tr>
<tr>
<td>Religious organizations</td>
<td>81311</td>
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</tr>
<tr>
<td>All other personal services</td>
<td>81299</td>
<td>N</td>
</tr>
<tr>
<td>Fraternal, professional, political, civic, business organizations, except religious organizations</td>
<td>813</td>
<td>N</td>
</tr>
<tr>
<td><strong>Public Administration</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive, legislative, &amp; general govt.</td>
<td>921</td>
<td>N</td>
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<td>Police protection</td>
<td>92212</td>
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<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
</tr>
<tr>
<td>-------</td>
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<td>----------------------------</td>
</tr>
<tr>
<td></td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>Fire protection 92216</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Administration of human resources 923</td>
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<tr>
<td>Admin. of environmental quality &amp; housing prog. 924-5</td>
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<td>N</td>
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<tr>
<td>Administration of economic programs 926</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Space research &amp; technology 927</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>National Security &amp; Internal Affairs 928</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>

**Residential Uses**

| Single-family detached 81411 | N | P | N | N | N | N | None |
| Duplex (Sec. 30-80.4(b)) 81411 | N | C | C | N | N | N | 2.0 spaces per unit |
| Townhouse (Sec. 30-80.4(b)) 81411 | C | N | C | C | N | N | 1.5 spaces per unit |
| Patio home (Sec. 30-80.4(b)) 81411 | N | C | N | N | N | N | 2.0 spaces per unit |
| Triplex (Sec. 30-80.4(b)) 81411 | N | C | C | N | N | N | 2.0 spaces per unit |
| Quadruplex (Sec. 30-80.4(b)) 81411 | N | C | C | N | N | N | 1.5 spaces per unit |
| Multi-family (Sec. 30-80.4(b)) 81411 | C | N | C | C | C | N | 1.5 spaces per unit |
| Modular building 81411 | N | P | P | P | N | N | Not applicable |

**Accessory uses**

| Automotive parking lots & garages 812930 | N | N | N | C | C | C | None |
### NAICS Zoning Districts by Type

<table>
<thead>
<tr>
<th>NAICS</th>
<th>Zoning Districts by Type</th>
<th>Off-Street Parking Maximums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>(Sec. 30-80.4(a))</td>
<td>--</td>
<td>N</td>
</tr>
<tr>
<td>Accessory apartment (Sec. 30-97)</td>
<td>--</td>
<td>N</td>
</tr>
<tr>
<td>Auxiliary shed, workshop</td>
<td>--</td>
<td>N</td>
</tr>
<tr>
<td>Family day care home</td>
<td>--</td>
<td>P</td>
</tr>
<tr>
<td>Home occupation</td>
<td>--</td>
<td>P</td>
</tr>
<tr>
<td>Horticulture, gardening</td>
<td>--</td>
<td>P</td>
</tr>
<tr>
<td>Non-commercial greenhouse</td>
<td>--</td>
<td>N</td>
</tr>
<tr>
<td>Private garage &amp; carport (Sec. 30-80.4(a))</td>
<td>--</td>
<td>C</td>
</tr>
<tr>
<td>Satellite dishes, antennas, solar energy systems, mechanical equipment, and similar ancillary uses</td>
<td>--</td>
<td>P</td>
</tr>
<tr>
<td>Storage building</td>
<td>--</td>
<td>N</td>
</tr>
<tr>
<td>Swimming pool, tennis courts</td>
<td>--</td>
<td>P</td>
</tr>
<tr>
<td><strong>Temporary uses</strong></td>
<td>--</td>
<td>C</td>
</tr>
<tr>
<td>Temporary uses (Sec. 30-99)</td>
<td>--</td>
<td>C</td>
</tr>
</tbody>
</table>

**Sec. 30-80.3. Uses Prohibited.**

The following uses are prohibited within the mixed-use and townhouse districts:

(a) Storage and stockpiling of sand, gravel, or other aggregates.
(b) Unscreed outdoor storage.
(c) Sexually oriented businesses.
(d) Unscreened vehicular storage not associated with vehicle sales including, but not limited to, automobiles, trucks, construction equipment, boats, and RVs.
(e) Above-ground fuel storage intended for retail or wholesale.
(f) Outdoor shooting and target ranges for firearms, archery, and similar activities.
(g) Warehousing and storage facilities except for storage that is customary to a residential use.

Sec. 30-80.4. Conditional Use Regulations.

The regulations contained within this Section are intended to accomplish the same purposes as stated in Article III. Where a conditional use is listed within this Division, and such use is regulated by Article III, the use shall meet the requirements of that Division except for conditions expressly covered below and dimensional standards covered in this Division.

(a) Automotive Parking Lots & Garages.

(1) Parking lots and garages may not be located along a public street unless designed with street-facing street-level residential, retail, or office space. This restriction does not apply to parking garages associated with single-family, duplex, triplex, quadraplex, or townhouses developments.

(2) Parking garages associated with single-family, duplex, triplex, quadraplex, or townhouse developments must be located no closer to a public street than the front building line of the primary dwelling structure.

Figure 14 Mixed-use on-street parking on primary streets.
Figure 15 Mixed-use/multifamily parking lots on secondary streets.

Figure 16 Single-family residential on-street parking.

Figure 17 Single-family residential alleyway.
(b) **Residential Uses.** All residential conditional uses shall comply with the following requirements as noted.

1. In mixed-residential, mixed-use, and townhouse districts and on infill lots in existing residential neighborhoods, new multi-dwelling-unit residential buildings shall be designed to mimic single-family detached residential buildings to the maximum extent practicable with regards to building design, roof pitch, driveway and garage design and location, porches, and sidewalks.

2. Site designs shall create a sense of “neighborhood” and shall meet all the following requirements.
   1. Buildings shall be sited with front entrances and porches oriented toward streets, drives, and plazas, rather than parking lots.
   2. An internal vehicular circulation system for private streets, when included, shall be reflective of a single-family residential street system.
   3. Walkways shall connect all buildings with parking areas, play areas, clubhouses, and existing public sidewalks and multi-use paths adjacent to the development site.
   4. Plazas, clubhouses, pools, and recreational facilities shall be centrally located, when provided.

(c) **Museums, Historical Sites, & Similar Institutions.** Museums, interpretive centers, and similar institutions located apart from a historic building that is the primary subject of such institution shall not be permitted in a residential district.

(d) **Transit and Ground Passenger Transportation.** This use shall be limited to public transit stops and private transportation services within residential districts.

(e) **Support Activities for Transportation.** This use shall not include motor vehicle towing and stockyards.

(f) **Nursing and Residential Care Facilities.**
   1. Driveway access to accessory structures shall be through the main entrance to the facility.
   2. No single building shall be greater than 40,000 square feet if located within 500 feet, as measured in any direction from the nearest point, to a lot line of an adjacent residentially zoned lot.

(g) **Energy Substations.** Substations shall not be placed along road frontages.

(h) **Automotive Fuel Stations.**
   1. Fuel stations must locate pumps to the side or rear of buildings.
   2. Fuel stations in the MMF, TH, and FO/LI are limited to electric vehicle charging as an accessory use.

(i) **Flea Markets.**
   1. Flea markets must be designed to visually integrate buildings and outdoor spaces.
   2. Indoor and outdoor sales are permitted; however, outdoor vending must be clearly delineated and separated from parking areas.
(3) Areas for food trucks must be visually and functionally integrated into outdoor vending areas and shall not be located or operated in a manner that interferes with the safe movement of motorized and non-motorized vehicles and pedestrians.

(4) All outdoor spaces shall be adequately lighted for nighttime use.

(5) Paved walkways are required between buildings and outdoor vending spaces.

(6) All exterior property and premises shall be maintained in a clean, safe, and sanitary condition.

(7) Parking areas must be paved and marked.

(8) At least one common area shall be provided with facilities for sitting/resting, eating, and social interaction. If located outdoors, shade structures, trees, or a combination of both shall be provided.

(9) Goods and products must not be stored outside of the site’s primary or secondary structure during non-business hours.

(10) In addition to meeting all of the above requirements, Flea Markets must be granted a special exception by the Board of Zoning Appeals prior to a certificate of zoning compliance being issued.
(j) **Manufacturing Uses.** The intent of this use group is to accommodate light industrial uses and maker spaces (i.e., arts and crafts that commonly involve a manufacturing component) suitable for a mixed industrial and office context. All uses identified as manufacturing uses in this Division are permitted only if all the following conditions are met. Individual uses may contain a manufacturing and retail component.

1. All uses are located wholly within a building.

2. Uses have little, if any, impacts beyond the shared walls of the building in which they are located or beyond the property line where walls are not shared. This includes light, noise, vibration, odor, heat, dust, and similar impacts.

**Sec. 30-80.5. Dimensional Standards.**

(a) **Building Placement.** All buildings shall meet the requirements noted below.

<table>
<thead>
<tr>
<th>Built-To-Zone (BTZ)*/ Setback</th>
<th>Building Type</th>
<th>Zoning Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>TH**</td>
</tr>
<tr>
<td>Font in Feet (min-max BTZ)</td>
<td>Residential</td>
<td>10-20</td>
</tr>
<tr>
<td></td>
<td>MU/Non-Res.</td>
<td>15-25</td>
</tr>
<tr>
<td></td>
<td>Accessory (minimum only)</td>
<td>***</td>
</tr>
<tr>
<td>Interior Side in Feet (setback)</td>
<td>Residential</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>MU/Non-Res.</td>
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</tr>
<tr>
<td></td>
<td>Accessory (minimum only)</td>
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<tr>
<td>Street Side in Feet (min-max BTZ)</td>
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<td>15-25</td>
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<td>MU/Non-Res.</td>
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<td></td>
<td>Accessory (minimum only)</td>
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<tr>
<td>Rear in Feet (setback)</td>
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<td>15</td>
</tr>
<tr>
<td></td>
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<td>20</td>
</tr>
<tr>
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<td>Accessory (minimum only)</td>
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</tbody>
</table>

*At least 80% of the building’s front wall must meet the maximum build-to line. The remaining 20% may be located further from the right-of-way if it is dedicated to covered dining or courtyard entrances or another use approved by the Planning Commission. Minor offsets and similar features that add interest and articulation but do not disrupt the overall building plane are permitted.

** Build-to zones and setbacks apply only to the exterior property boundary of the townhouse complex and not each individual townhouse.

*** At or behind the front building line
(b) **Building Characteristics.** All buildings shall meet the requirements noted below and additional standards as specified in this Chapter except that buildings created solely for the purposes of housing a public utility substation or public water or sewer lift station shall be exempt from these requirements provided the use of the lot is restricted by deed to such purpose and acceptable access is provided (deeded or easement). The specifications on how to measure these characteristics shall be the same as noted in Division 1.

<table>
<thead>
<tr>
<th>Zoning Districts by Type</th>
<th>TH</th>
<th>MR</th>
<th>MMF</th>
<th>MU</th>
<th>CMU</th>
<th>FO/LI</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Building Height</strong></td>
<td>38 ft</td>
<td>38 ft</td>
<td>4 stories</td>
<td>*</td>
<td>Not applicable</td>
<td></td>
</tr>
<tr>
<td><strong>Maximum Floor Area Ratio</strong> (multifamily and non-residential dwellings only)</td>
<td>.30</td>
<td>.25</td>
<td>.30</td>
<td>Not applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Maximum Residential Density</strong> (du/ac)</td>
<td>15</td>
<td>10</td>
<td>15</td>
<td>15</td>
<td>20</td>
<td>NA</td>
</tr>
<tr>
<td><strong>Maximum Dwelling Units per Building excluding Permitted Accessory Dwellings</strong></td>
<td>NA</td>
<td>4</td>
<td>24</td>
<td>Not applicable</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*There is no maximum: provided side and rear setbacks are increased by one foot for each two feet in height over 35 feet and buildings are no taller than fire ladder capabilities as determined by the fire department with jurisdiction.*

(c) **Lot Characteristics.** All lots shall meet the requirements noted below and additional standards as specified in this Chapter except that lots created solely for the purposes of a public utility substation, public water or sewer lift station, or telecommunications tower shall be exempt from these requirements provided the use of the lot is restricted by deed to such purpose. The specifications on how to measure these characteristics shall be the same as noted in Division 1.

<table>
<thead>
<tr>
<th>Zoning Districts by Type</th>
<th>TH</th>
<th>MR</th>
<th>MMF</th>
<th>MU</th>
<th>CMU</th>
<th>FO/LI</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum Lot Size</strong> (residential/non-res) (sq.ft.)</td>
<td>5,000*/12,000</td>
<td>7,500/12,000</td>
<td>1,500 per du/12,000</td>
<td>Not applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minimum Lot Width (ft)</strong></td>
<td>50**</td>
<td>50</td>
<td>25</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td><strong>Minimum Road Frontage (ft)</strong></td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td><strong>Site Width to Depth Ratio</strong> (w:d) (minimum site depth required)***</td>
<td>Not applicable</td>
<td>1:0.75</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Maximum Impervious Surface Ratio (%)</strong>**</td>
<td>45</td>
<td>70</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>90</td>
</tr>
<tr>
<td><strong>Minimum Park and Open Space Dedication (%)</strong>**</td>
<td>15</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td><strong>Minimum Sidewalk Width</strong> (public/private) (ft)</td>
<td>6/5</td>
<td>6/5</td>
<td>6/5</td>
<td>10/6</td>
<td>10/6</td>
<td>6/6</td>
</tr>
</tbody>
</table>
*For the first dwelling. One thousand additional square feet per dwelling unit is required.
** Townhouse development sites will contain more than one townhouse lot. Minimum lot width shall only apply to the overall townhouse development site and not each individual lot.
*** Development sites may contain more than one parcel. All parcels within the development will be aggregated for this calculation. For example, a development site, regardless of the number of lots, that is 200 feet wide will require a minimum depth of 150 feet.
**** Minimum percentage is based on gross acreage of the development site.

Sec. 30-80.6. Additional Regulations Applicable to All Townhouse and Mixed-Use Districts.

(a) Building Design.

(1) Materials. Unfinished concrete masonry and corrugated/sheet metal shall be prohibited on all exterior building faces.

(2) Orientation. All buildings shall be oriented so that the primary building facade faces the primary roadway or a road intersection except for cottage court developments where houses face an internal courtyard.

(3) Grouping. Individual buildings on a development site in the MMF, MU, CMU, and FO/LI districts shall be arranged to create clusters or groups whenever practicable.

(4) Entrances. All buildings shall be designed with a minimum of one pedestrian access point that faces the primary roadway.

(5) Front Stoops and Porches. Front stoops and porches shall have a minimum depth of six feet. Stoops and porches may encroach into a front setback a maximum of six feet but shall not be less than five feet from any property line and must meet the floodplain requirements.

(b) Parking.

(1) Number. Uses shall be required to meet the parking standards as listed in section 30-80.1 (c) Table XI. Parking requirements as listed in the table shall be interpreted as the maximum number of parking spaces permitted within the townhouse and mixed-use districts for a particular use. An exception to this requirement is the maximums for residential uses within the MR, TH, and MMF districts which shall only apply to open-air (surface) parking.

(2) Location. No more than one aisle of parking (two rows maximum) shall be permitted between a building and the roadway right-of-way except for the MR and TH districts. In the MR and TH districts, individual garages may not be closer than 20 feet from a road right-of-way. To preserve sidewalk continuity, alley-accessed parking is recommended for all TH development and MR lots less than 60 feet in width.

(3) On-street Parking. On-street parking is allowed along all local roads except that certain sections of roadway may be required by the zoning administrator to be marked as no parking to ensure public safety. Curb bulb-outs shall be provided at intersections to cap rows of on-street parking.

(4) Shared Parking. Shared parking between uses is encouraged.

(5) Loading Area Location. Loading areas shall be screened from the corridor roadway.

(6) Surface Parking Materials. Parking spaces, drives and aisles shall be constructed of either concrete, asphalt, or concrete pavers, of permeable or impermeable construction.
Base material and pavement structure must be suitable for the traffic anticipated to utilize the facility, including emergency vehicles, garbage trucks, and delivery trucks.

(7) **Bicycle Parking.** Bicycle parking shall be provided for all districts except MR and TH at the ratio of one bicycle space per 20 car spaces provided, with a minimum of two spaces and a maximum of 10 spaces per facility. All spaces shall be covered or provided indoors except spaces for commercial uses, which may be uncovered.

![Figure 18 Bicycle parking.](image)

(c) **Motorized and Non-Motorized Cross Access and Driveway Connections.**

(1) **Cross-Access Facilities.** Where cross-access facilities exist for vehicular or non-vehicular travel on adjacent lots, development sites must connect to such facilities. But on adjacent lots, development sites shall be designed to accommodate both vehicular and non-vehicular connections in the future. Site plans shall clearly indicate and mark the type and location of future access points.

(2) **Onsite Connections.** Pedestrian and bicycle access is required between offsite planned or existing non-motorized facilities (e.g., sidewalks, multi-use paths, greenways) and onsite building entrances.

(3) **Offsite Facility Construction.** Where offsite non-motorized facilities are proposed by approved plans, or the development site abuts an existing facility, each development must construct or extend such facilities along the length of their site consistent with the adopted plan and construction detail.

(4) **Safe Access.** Walkways and bikeways must be designed, located, and signed in a way that ensures safe access across the development site, and all ANSI 117.1 access requirements are met.

(d) **Block Length.** Blocks shall not be less than 200 feet in length nor more than 600 feet.
(e) **Curb Cut Restrictions.**

1. **Number Restricted.**
   a. **New Development.** All parcels are allowed one curb cut per 250 feet of road frontage, except for single-family detached residentially zoned parcels and parcels containing single-family detached residential uses which shall be permitted one access regardless of frontage length.
   
   b. **Redevelopment of Existing Lots.** Where curb cuts for existing parcels do not meet the standards specified in this Section, redevelopment of such parcels shall include a plan for curb cut consolidation and relocation consistent with this Section to the maximum extent practicable.

2. **Width Restricted.**
   a. All single-family detached, duplex, triplex, quadraplex, and townhouse uses shall be limited to driveway widths of 20 feet or less.
   
   b. All other uses shall be limited to 24 feet unless the zoning administrator determines that traffic type (e.g., tractor-trailer trucks and heavy equipment) or need for multiple exit lanes require a greater width.

3. **Plan Required.** As a condition of application approval for a rezoning for or for a zoning permit to allow a use other than construction on a single-family residential lot without alternate access, a suitable access management plan must be submitted demonstrating that the 250-foot driveway separation requirement can be met. The following techniques may be employed to achieve this result, but the burden of accomplishing the desired effect remains with the applicant:
   a. Aggregation of parcels
   b. Construction of a parallel frontage road
   c. Shared access

4. **Shared Access.** Shared access (driveway) is encouraged. To approve a plan for shared access, a legally binding and recorded shared access agreement must be submitted to the zoning administrator prior to permit approval.

5. **New Roads.** New roads created within the corridor shall meet County road standards.

6. **Stub Outs Required.** New roads shall be stubbed out to adjacent parcels for future continuation. Adequate turn-around space meeting the county’s road requirements shall be incorporated into the end of each stub that is longer than 150 ft.

7. **Alley Access Encouraged.** Alley access for new residential and mixed-use subdivisions is encouraged.

8. **Waiver.** The applicant may receive a waiver of the curb cut distance requirement from the Zoning Board of Appeals (BZA) if:
   a. Florence County determines that items (1) and (2) listed in subsection (b) above are impracticable, and
b. The applicant demonstrates to the satisfaction of the BZA that:
   i. The applicant tried in good faith to obtain a shared access agreement without success, or
   ii. The nature of the zoning, use, or development pattern on adjoining lots is incompatible with the proposed use of the subject property. For example, it would be incompatible for a residential use to share access with a commercial or industrial use unless it is part of a mixed-use development project.

(9) **Distance From Intersection.** The minimum distance from a street intersection for a new residential or commercial use curb cut shall be 200 feet on arterial roads, 75 feet on collector roads, and 50 feet on local roads, measured from the edge of the intersecting roadway to the edge of the driveway radius. These minimum spacing requirements will be increased if a right-turn deceleration lane is required and shall equal the length of the turn lane and taper plus an additional distance of 50 feet.

![Figure 19 Minimum distances between an intersection and curb cut.](image-url)
(10) **Road Classification and Access.** Residential parcels with frontage along two or more roads shall obtain access from the road with the lowest functional classification. The county may require or prohibit secondary access via an adjacent street on corner lots being developed for mixed-use, multifamily, or non-residential purposes depending on anticipated impacts and road capacity.

(f) **Screening and Location of Service and Support Areas and Mechanical Equipment.**

(1) **Screening of Rooftop Equipment.** All equipment located on the roof of a mixed-use or non-residential building shall be screened by parapet walls or decorative features acceptable to the zoning administrator.

(2) **Location and Screening of Other Mechanical Equipment.** Ground-mounted mechanical equipment and equipment that is mounted to the side of a structure shall be located on the side or rear of buildings. Equipment shall be screened from view from public roads and adjacent properties.

(3) **Utility Lines.** All utility lines such as electric, water, sewer, stormwater, fiber, telephone, and cable providing onsite services shall be located underground.

(g) **Stormwater Detention, Retention, and Conveyances.**

(1) **Curb and Gutter Required; Exception.** New roads and parking areas shall be designed to discharge stormwater into a curb and gutter system except that onsite bioretention areas, swales, rain gardens and similar low impact development techniques can be used to decrease discharge rates and allow for infiltration. Any net discharge from such treatment areas shall be directed to a curb and gutter system.

(2) **Detention/Retention Design.** A stormwater detention or retention facility must be designed as a site amenity and, where possible, integrated into usable park space open to the public or a property owners association (POA). The applicant will be required to prove that a legally constituted POA has accepted ownership and maintenance responsibility prior to release of a certificate of occupancy.

(h) **Lighting Design.**

(5) **Trespass and Glare.** All lighting shall be from a concealed source as viewed from a public roadway and oriented to prevent light trespass and glare.

(6) **Impact on Residential Parcels.** Lighting adjacent to an offsite residential area shall be directed away from residences and residentially zoned lots.

(i) **Sign Restrictions.**

(1) **Applicability.** The following restrictions shall apply to all signs located on private property visible from a public roadway and non-motorized facilities.

(2) **Freestanding Signs.**
   a. A maximum of one sign shall be permitted per road frontage.
   b. Signs shall not exceed 50 square feet per sign face.
   c. A maximum of two sign faces are permitted per sign structure.
   d. Signs, including the structure on which they are located, shall not exceed 15 feet in height.
e. Signs shall be set back a minimum of ten feet from the edge of right-of-way.

f. Only internal illumination of sign faces and structures is permitted.

g. Signs shall be designed and located so they do not interfere with the safe movement of motorized and non-motorized traffic.

h. Any other standard as listed in Article V not covered by this subsection shall be applicable to freestanding signs.

(3) **Wall Signs.** The maximum building coverage of wall signs for non-residential and mixed-use buildings shall be limited to one square foot of signage per linear foot of non-residential building frontage up to a maximum of 100 square feet. All other requirements for wall signs as well as requirements for signage in residential districts shall meet the standards for signs as listed in Article V.

(4) **Prohibited Signs.** The following sign types and sign elements shall be prohibited:

   a. Flashing, blinking, strobing, spinning
   
   b. Audible components
   
   c. Portable signs
   
   d. Billboards

Sec. 30-80.7. **Regulations Specific to the MR single-family residential district.**

(a) **Signs.** Signs in the MR district are subject to the same restrictions and allowances as specified in this Chapter for residential districts.

Sec. 30-80.8. **Regulations Specific to the MMF mixed-multi-family residential district.**

a. **Signs.** Signs in the MMF district are subject to the same restrictions and allowances as specified in this Chapter for residential districts.

Sec. 30-80.9. **Regulations Specific to the TH townhouse residential district.**

a. **Signs.** Signs in the TH district are subject to the same restrictions and allowances as specified in this Chapter for residential districts.

Sec. 30-80.10. **Regulations Specific to the MU mixed-use district.**

a. **Signs.** Signs in the MU district are subject to the same restrictions and allowances as specified in this Chapter for the B-4 District.

b. **Location of Residential Units.** Other than townhouses, all residential units shall be located on the upper floors of mixed-use buildings.

Sec. 30-80.11. **Regulations Specific to the CMU commercial mixed-use district.**

a. **Signs.** Signs in the CMU district are subject to the same restrictions and allowances as specified in this Chapter for the B-4 District.

b. **Location of Residential Units.** All residential units shall be located on the upper floors of mixed-use buildings.
Sec. 30-80.12. Regulations Specific to the FO/R flex office/retail district.

a. **Signs.** Signs in the FO/R district are subject to the same restrictions and allowances as specified in this Chapter for the B-5 District.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE X. – DEFINITIONS; shall be amended to read as follows:

Sec. 30-311. - Definitions.

Words not defined herein shall have the meanings stated in the South Carolina Building Code, South Carolina Plumbing Code, South Carolina Gas Code, South Carolina Mechanical Code, National Electrical Code or South Carolina Fire Code. Words not defined in the South Carolina 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.

**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 chapter.

**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 chapter.

**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 floodplain 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.** 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. A structure which is accessory in nature may be considered to be attached and part of the primary structure when such construction is in accordance with one of the following methods.

(1) Twenty percent of the subordinate structure's abutting side must be in direct contact with the wall of the primary structure. (See illustration Method A.)

(2) Subordinate structures not in direct contact with the primary structure shall be attached by structures which are enclosed not less than 75 percent, such as sun rooms. The width of the adjoining attachment shall be equal to, or greater than, the horizontal distance between the primary and subordinate structure. (See illustration Method B.)
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.

Build-To Zone. The area of a lot where a building facade must be placed.

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, 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.

Community garden. Community gardens are collaborative projects on shared open spaces where participants share in the maintenance and products of the garden, including healthful and affordable fresh fruits and vegetables.

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.

Corridor roadway. The principal road of an established corridor overlay district.

Cottage court. A group of small-scale detached dwellings arranged around a shared court visible from the road.
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:

1. Has a minimum width over 25 feet (multiple-section);
2. Has a minimum of 1,100 square feet of enclosed living area;
3. Has a minimum 2.0:12 roof pitch; and has a type of shingle commonly used in standard residential construction;
4. 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;
5. Has an entry landing that conforms to the minimum requirement of the current edition of the South Carolina 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.** 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 (FHB). 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. 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 lumber is 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 floodplain 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:

1. 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;
2. 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;
3. Individually listed on a state inventory of historic places;
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified:
   a. By an approved state program as determined by the Secretary of Interior; or
   b. 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 manmade 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[(b)](4) of this chapter.

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

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

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

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

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

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

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

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.

Lowest adjacent grade (LAG). 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 chapter.

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. For the purpose of this chapter, the National 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.

Mining. As used in this chapter, "Mining" means the breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores, or other solid matter; any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, and other solid matter from its original location; and the preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial, or construction use; but shall not include those aspects of deep mining not having significant effect on the surface, and shall not include excavation or grading when conducted solely in aid of onsite farming or construction. (S.C. Code 1976, tit. 48, ch. 21, art. II)
**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 (S.C. Code 1976, § 23-43-10), 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.** 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.

**Nonresidential 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:

1. The appearance of human bare buttocks, anus, male genitals, female genitals, or the areola or nipple of the female breast; or

2. 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.** 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.
Park, neighborhood. A park which serves the population of a neighborhood, is approximately 1-2 acres, and may include playground apparatus, community garden, space for active recreational purposes, or areas for passive use. The site should be public and accessible.

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:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Redevelopment. The act of clearing, rehabilitating, modifying, reconstructing, or reusing an area or structure that includes, but is not limited to, any change to use, structures, streets, parking, access, utilities, parks, recreational areas, and open spaces significant enough to potentially impact adjacent uses, transportation and recreation networks, or community character.

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 two occasions during a ten-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 percent 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, freestanding. 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 chapter 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

Single-family detached. A dwelling designed and constructed as a freestanding building that houses one primary dwelling. Such term may include a single-family dwelling that also contains one secondary, or accessory, dwelling unit as regulated by this Chapter.

Solar energy systems. For the purposes of this chapter the following words, terms, and phrases, used in this article, shall have the ascribed meanings to them unless stated otherwise:

Building-integrated solar system. An active solar system incorporated into the principal and/or accessory building/structure(s) as an architectural component. Architectural designs include, but
are not limited to, roof material, windows, parking facilities, awnings, section of wall, and etcetera.

**Ground-mounted.** Freestanding pole and tower used to support renewable energy systems (RES).

**Height.** The vertical distance measured from ground to the foremost tip/end of a roof or the ground-mounted solar/wind apparatus.

**Integrated energy systems.** Flexible energy techniques used through solar building/integration, and roof and ground-mounted solar systems to produce on-site energy. Integrated energy systems serve as accessory structures on properties with principal structure (i.e. home or business).

**Renewable energy system.** Energy generated through solar technology for residential, commercial, and industrial uses, and geographical areas in partnership with utility companies.

**Roof-mounted.** RES affixed to a roof utilizing solar panels to produce energy.

**Solar collector.** A solar device absorbs and accumulates solar rays for use as a source of energy. The device may be roof-mounted as an accessory use or ground-mounted.

**Solar energy.** Radiant energy received from the sun collected in the form of heat or light by a solar collector to produce energy.

**Solar energy system (SES).** The components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited to, solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems. A system fits into one of three system types: Level 1 SES, Level 2 SES, and Level 3 SES.

**Level 1 Solar Energy System** - Level 1 SESs include the following:

i. Any roof-mounted system on any code-compliant structure.

ii. Any ground-mounted system on an area of up to 50 percent of the footprint of the primary structure on the parcel but no more than one acre.

iii. Any system covering permanent parking lot and other hardscape areas.

iv. Any building integrated solar (i.e., shingle, hanging solar, canopy, etc.).

**Level 2 Solar Energy System** - Level 2 SESs are ground mounted commercial-scale systems not included in Level 1 that meet the area restriction listed below:

i. RU-1/RU-2: SES ≤1/2 acres

ii. R-1: SES ≤1/2 acre

iii. R-2/R-3: SES ≤1/2 acre

iv. R-4/R-5 ≤1/2 acre

v. B-1/B-2: SES ≤10 acres

vi. B-3: SES ≤10 acres

vii. B-4: SES ≤10 acres

viii. B-5/B-6: SES >10 acres

**Level 3 Solar Energy System** — Level 3 SESs are utility-scale systems that do not satisfy the parameters for a Level 1 or Level 2 solar energy system.
Solar farm. A series of ground mounted solar collectors placed in an area for generating photovoltaic (PV) power as a commercial enterprise. The minimum size for a solar farm is five acres.

Thermal energy. Solar technology converted into heat energy.

South Carolina Manufactured Housing Board. 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 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. 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 50 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 is:

(1) 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) 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.

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.

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. 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, accessory. See "building, accessory."

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 provision of this Ordinance are severable.

ATTEST: ____________________________  SIGNED: ____________________________

Hope M. Jones, Council Clerk  Willard Dorriety, Jr., Chairman

COUNCIL VOTE:

APPROVED AS TO FORM AND CONTENT
D. Malloy McEachin, Jr., County Attorney

OPPOSED: ____________________________

ABSENT: ____________________________
SUBJECT: Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE I. – ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY, And ARTICLE II. – ZONING DISTRICT REGULATIONS, And ARTICLE X. – DEFINITIONS.

APPLICANT: Florence County

Staff Analysis:
The intent of this text amendment is to update the Florence County Code of Ordinances to include five mixed-use zoning districts, one residential zoning district, and one special purpose district. These districts are intended to enhance our current zoning ordinance by providing a more diverse selection of zoning districts. The addition of five new mixed-use districts will offer more opportunity for the development of compatible commercial and residential uses, while the addition of a new residential district will offer more flexibility in housing options. Furthermore, the addition of one new special purpose district will help ensure responsible development while maintaining the integrity of corridors in the County. This update also includes all applicable regulations for the proposed new zoning districts and overlay district, along with the addition of definitions needed for accurate interpretation.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE I. – ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY; shall be amended to read as follows:

Sec. 30-1. - Establishment of districts.
For purposes of this chapter, the following zoning districts are hereby established:

<table>
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<th>Residential Districts</th>
<th>Business Districts</th>
<th>Rural Districts</th>
<th>Special Purpose Districts</th>
<th>Mixed-Use Districts</th>
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<tbody>
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<td>B-1, limited</td>
<td>RU-1, RU-1A community</td>
<td>PD, planned development</td>
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<td>R-2, single-family, medium lots</td>
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<td>RU-2, resource</td>
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<td>R-3 and R-3A, single-family, small lots</td>
<td>B-3 general</td>
<td>AC, airport compatibility</td>
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</table>
Sec. 30-2. - Purpose of districts.

Collectively, these districts are intended to advance the purposes of this chapter, as stated in the preamble. Individually, each district is designed and intended to accomplish the following more specific objectives.

**Residential districts:**

*R-1, R-2, R-3 and R-3A single-family residential districts:* Aside from differences in lot sizes and densities, these districts are intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.

*R-4 multi-family residential district, limited:* This district is intended to promote and accommodate residential development consisting principally of single-family and two-family dwellings, and related support uses.

*R-5 and R-5A multi-family residential districts:* This district is intended to accommodate higher density residential development and a variety of housing types on small lots or in project settings in areas accessible by major streets and in proximity to commercial uses, employment opportunities, and community facilities. It is further intended to permit development flexibility in meeting the demands and preferences of a changing housing market, and doing so in an orderly, compatible manner.

*TH townhouse district:* The intent of the TH district is to allow the by-right creation of townhouse neighborhoods to improve housing choice and affordability and, as needed, to serve as a buffer between higher intensity and lower intensity uses.

**Business districts:**

*B-1 limited business district:* This district is intended to accommodate office, institutional, and residential uses in areas whose character is changing, or where such a mix of uses is appropriate. It is designed principally for use along major streets dominated by older houses in transition.

*B-2 convenience business district:* The intent of this district is to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in these districts are of the "convenience variety." The size of this district should relate to surrounding residential markets and the location should be at or near major intersections, in proximity to and/or on the periphery of residential areas.
**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-4 central commercial district:** The intent of this district is to promote the concentration and vitality of commercial and business uses in the downtown area. This district is characterized by wall-to-wall or lot line to lot line development, sidewalks, and public parking lots.

**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.

**B-6 industrial district:** The intent of this district is to accommodate certain industrial uses which, based on their operational characteristics are potentially incompatible with residential, social, medical, and commercial environs. As a result, the establishment of such districts shall be restricted to areas geographically removed or buffered from such environs.

**Rural districts:**

**RU-1 and RU-1A 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.

**RU-2 rural resource district:** The intent of this classification is to conserve and protect from urban encroachment rural characteristics and resources, particularly agricultural, and maintain a balanced rural-urban environment.

The retention of open lands, woodlands, and wetlands, which make up a large part of this area, are essential to clean air, water, wildlife, many natural cycles, and a balanced environment, among other things. Even more essential from an economic perspective are the agricultural lands and farming operations in this area. Also provided by this district is a rural environment preferred by many people over subdivisions and higher density urban or community settings.

**Special purpose districts:**

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

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

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

**FH flood hazard district:** It is the intent of this district to protect human life and health, minimize property damage, encourage appropriate construction practices, and minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

Additionally, this district is intended to help maintain a stable tax base by providing for the sound use and development of flood-prone areas and to ensure that potential home buyers are notified that property is in a flood area. The provisions of this district are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets and bridges located in the floodplain, and prolonged business interruptions; and to minimize expenditure of public money for costly flood control projects and rescue and relief efforts associated with flooding.

**AC airport compatibility district:** It is the intent of this district to protect the dual interests of airports and neighboring land uses, and to:

1. Protect and promote the general health, safety, economy, and welfare of airport environs,
2. Prevent the impairment and promote the utility and safety of airports,
3. Promote land use compatibility between airports and surrounding development,
4. Protect the character and stability of existing land uses, and
5. Enhance environmental conditions in areas affected by airports and airport operations.

**CO corridor overlay district:** The intent of the corridor overlay district is to improve or maintain the appearance and function of a corridor by controlling signage and landscaping and establishing requirements for access, non-motorized facilities, and overall site design.

**Mixed – use districts:**

**MR lower density mixed residential district:** The intent of the MR district is to improve housing options within the county by allowing by-right creation of lower density neighborhoods that contain a mix of 1, 2, 3, and 4-unit housing types.
**MMF mixed multi-family district:** The intent of the MMF district is to improve housing choice and affordability within the county by allowing by-right creation of multi-family neighborhoods that contain a mix of higher density housing options.

**FO/LI flex office/light industrial district:** The intent of the FO/LI district is to promote moderate-scale office and light industrial spaces mixed horizontally or vertically within a development site. A special focus of this district is the creation of craft-oriented maker spaces such as studios that allow for the creation, fabrication, and repair of products and the preparation of food products that may include metalworking, woodworking, crafting, ceramics, technology, and similar processes with low risk of anticipated offsite impacts related to light, noise, odor, vibration, heat, and dust. These spaces may allow for small to medium-size group collaboration, creation, and instruction as well as retail sales.

**MU mixed-use district:** The intent of the MU district is to allow a range of uses including residential, commercial, office, institutional, and flex office/light industrial mixed horizontally or vertically on a development site.

**CMU commercial mixed-use district:** The intent of the CMU district is to allow a range of uses including residential, commercial, office, institutional, and light industrial mixed horizontally or vertically on a development site where the predominate use is street-level commercial spaces.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, DIVISION 1 - GENERALLY; shall be amended to read as follows:

**Sec. 30-26. - Establishment of regulations.**

The uses permitted in the several zoning districts established by article I, the off-street parking requirements, and the dimensional requirements of each are set forth herein. The requirements for uses in residential, business, and rural districts are presented on tables.

Section 30-28 (Table I) sets forth use and off-street parking requirements for the five residential districts. Section 30-29 (Table II) establishes use and off-street parking requirements for business and rural districts. Section 30-30 (Table III) sets forth lot area, yard, setback, height, density, floor area, and impervious surface requirements for all residential, business, and rural districts. Article II, division 2 establishes regulations for the planned development districts. Article II, division 3 prescribes regulations for development in the flood hazard district, and article II, division 4 establishes regulations for the airport compatibility district. Article II, division 5 establishes regulations for development in open space development districts (cluster developments). Article II division 4 prescribes regulations for development in the flood hazard district. Article II, division 5 establishes regulations for the airport compatibility district. Article II, division 6 establishes requirements for riparian buffers. Article II, division 7 establishes regulations for the corridor overlay district. Article II, division 8 establishes regulations for townhouse and mixed-use districts. Section 30.8.1 (Table XI) sets forth use and off-street parking requirements for the five mixed-use
districts and the townhouse district. Section 30-80.5 sets forth lot area, yard, setback, height, density, floor area, and impervious surface requirements for townhouse and mixed-use districts.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, Division 7, Corridor Overlay District; shall be added and will read as follows:

Secs. 30-79—30-90. - Reserved.

DIVISION 7. – CORRIDOR OVERLAY DISTRICT

Sec. 30-79.1 Effect of Corridor Overlay Zoning; Relationship to Plans and Policies.

(a) **Effect.** The Corridor Overlay zoning district regulations of this Division apply in addition to underlying (base) zoning district regulations to impose specific development regulations for properties within the corridor district. Wherever the regulations of this Division and other regulations contained within Chapter 30 conflict, the regulations of this Division shall control.

(b) **Relationship to Plans and Policies.** In addition to all other stated purposes, individually and collectively the Corridor Overlay zoning district is intended to advance the purposes of the Comprehensive Plan, corridor plans, landscape/streetscape plans and strategies, and similar policies adopted by the county.

Sec. 30-79.2. Uses

(a) **Uses Permitted.** Unless prohibited as listed in this Division, all uses permitted within the underlying district are permitted in the corridor overlay in the same manner and with the same restrictions provided they meet all the requirements of this Division and any additional conditions as listed.

(b) **Additional Conditions.** The following additional conditions must be met for the listed uses.

1. **Communication Towers and Antennas.** Towers and freestanding antennas are prohibited within 100 feet of the corridor roadway unless the bottom 35 feet of such tower or antenna is screened from view by buildings located on the site.

(c) **Uses Prohibited.** The following uses are expressly prohibited within the corridor.

1. Storage and stockpiling of sand, gravel, or other aggregates.
2. Unscreened outdoor storage.
3. Sexually oriented businesses.
4. Unscreened vehicular storage not associated with vehicle sales including, but not limited to, automobiles, trucks, construction equipment, boats, and RVs.
5. Above-ground fuel storage intended for retail or wholesale.
6. Outdoor shooting and target ranges for firearms, archery, and similar activities.
7. Warehousing and storage facilities.
(8) Manufactured home and storage building sales lots.
(9) Outside storage or sales of motor vehicles and playground equipment.

Sec. 30-79.3. Building and Structure Design.

(a) **Materials.** Unfinished concrete block masonry and plain corrugated/sheet metal (sinewave) shall be prohibited on all exterior building faces. B-deck, box rib, and similar decorative styles of corrugated sheet metal are acceptable except that such facing shall be for accent only in residential and mixed-use districts.

*Figure 1* Finished concrete block is acceptable.

*Figure 2* Unfinished block is not acceptable.

*Figure 3* Decorative styles of sheet metal, such as box rib, are acceptable.
Figure 4  Plain corrugated metal (sinewave) is not acceptable.

Photos: corrugated-metals.com

(b) **Color.**

1. All colors used on buildings and structures must be subtle, neutral, or earthtone or otherwise relate to appropriate historic building colors found within the County. Luminescent, sparkling, reflective, fluorescent, and intense colors are prohibited.
2. Color schemes should be simple and coordinated over an entire building to establish a sense of overall composition.
3. Metals must be brushed finish or painted in muted tones to minimize glare. Gutters and downspouts must be of a color that matches or complements the color scheme of the structure.
4. The colors used on structures within a development site must be coordinated and similar or complementary to each other.

(c) **Orientation.** All buildings fronting the corridor roadway shall be oriented so that the primary building facade faces that roadway.

(d) **Access.** All buildings fronting the primary public roadway shall be designed with a minimum of one pedestrian access point facing that roadway.

(e) **Front Stoops and Porches.** Front stoops and porches shall have a minimum depth of six feet. Stoops and porches may encroach into a front setback a maximum of six feet but shall not be less than five feet from any property line and must meet the floodplain requirements.

**Sec. 30-79.4. Mechanical and Utility Equipment.**

(a) **Location of Mechanical Equipment.** Mechanical equipment shall be located on the side, rear, or roof of buildings fronting the corridor roadway. Rooftop equipment shall be screened from view from the roadway.
(b) **Distributed Energy Equipment.** Equipment related to onsite energy generation is permitted only as an attached, integral element of a building or decorative structure such as a clock tower. Freestanding equipment and large-scale energy generation is not permitted.

(c) **Utility Lines.** All utility lines such as electric, water, sewer, stormwater, fiber, telephone, and cable providing onsite services shall be located underground.

**Sec. 30-79.5. Landscape Design.**

(a) **Perimeter Parking Lot Landscaping.** Landscaped areas shall be provided to provide visual and climatic relief from broad expanses of pavement and to define logical areas for pedestrian and vehicular circulation.

1. A landscape buffer shall be provided between adjacent street right-of-way and parking lot with a minimum of six feet in width and one canopy tree at a maximum of 50 feet spacing.

2. Canopy trees shall be a minimum size of three-inch caliper.

![Figure 6 Perimeter parking lot landscaping.](image)

(b) **Interior Parking Lot Landscaping.**

1. Landscaping within parking areas shall be equal to a minimum of ten percent of the total paved area.

2. Each landscaped area shall be a minimum of 100 square feet.

3. Within the interior, landscape islands shall be provided for any open vehicular use area containing ten or more parking spaces. As an alternative, landscaped six feet wide center medians located between all linear rows of parking facing head-to-head may be provided with one canopy tree located every 50 linear feet of median.

4. The landscape islands shall be a minimum of six feet wide and include one canopy tree. Canopy trees should be of a species that will not be hindered by or cause significant damage to adjacent concrete, curbing and or asphalt.
(5) A landscaped island (singular or head-to-head) shall be required at the ends of each row of parking spaces.

(6) One canopy tree shall be required for each 100 square feet of required landscaping.

(7) Canopy trees shall be a minimum size of three-inch caliper.

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(c) **Street Trees.** Street trees shall be provided to enhance the appearance and viability of the community.

(1) Trees shall be provided within a landscaped buffer area between the back of curb or edge of pavement of the corridor roadway and sidewalk or shared-use pathway. The landscaped buffer area shall be not less than 5 feet in width. Where a 5-foot landscaped buffer area is not possible, applicant may work with staff to determine a feasible alternative.

(2) Trees shall be at a minimum of one canopy tree for each 50 feet of road frontage, planted on-center.

(3) These canopy trees are to be a minimum of 14 feet in height, shall be a minimum of three-inch caliper, and with a minimum six-foot clear trunk, at planting.
Sec. 30-79.6. Lighting Design.

(a) Trespass and Glare. All lighting shall be from a concealed source as viewed from a public roadway and oriented to prevent light trespass and glare.

(b) Impact on Residential Parcels. Lighting adjacent to an offsite residential area shall be directed away from residences and residentially zoned lots.

Sec. 30-79.7. Parking and Loading Design.

(a) Parking Area Location.

(1) All Districts Except Single-Family and Townhouse Districts. No more than one aisle of parking (two rows maximum) shall be permitted between a building and the corridor roadway. The remainder of the parking may be to the rear and side of the building behind the front building line.
(b) **Number of Parking Spaces.** Parking requirements as listed in the Schedule of Permitted Uses shall be interpreted as the maximum number of parking spaces permitted within the corridor for a particular use. An exception to this requirement is the maximums for residential uses within the MR, TH, and MMF districts which shall only apply to open-air (surface) parking and to approved requests for an increase in the number of parking spaces.

(c) **Requests for Increases in the Number of Parking Spaces.** An applicant may petition the planning commission for permission to exceed the maximum number of parking spaces. Such approval may be for regular parking or for occasional overflow parking needed for events.

1. Approval of such a petition may require that parking initially be limited to the maximum number prescribed pending eventual occupancy and performance of the space.

2. The site plan must clearly indicate where allowed parking and requested expanded parking areas will occur and show enough design detail to demonstrate a future expansion will be safely integrated into the allowed parking.

3. If phased parking construction is required, the area for expansion shall be maintained as undisturbed open space. If it is determined that grading or disturbing these areas during development is necessary, the areas shall be stabilized and re-vegetated prior to the issuance of a certificate of occupancy.

4. For expansions of regular parking, adherence to landscaping and buffer requirements for expansion areas shall not occur until or unless such additional parking is constructed. Parking lot landscaping requirements may be waived in whole or part by the Planning Commission for overflow parking areas.
(5) Any non-paved surface used for overflow parking that cannot be maintained with healthy, living turf grass or similar live ground cover shall be paved with approved permeable pavers.

(6) The marking of spaces for overflow parking is not required; however, the property owner will be required to ensure that all site use for overflow parking routinely includes drive aisles, turn-arounds, connections, and other motorized and non-motorized safety features that meet all requirements of this Chapter.

(d) **Location of Parking Spaces.** Off-street parking is permitted in required yard and setback areas as provided in this Division but shall not be permitted in any required buffer area. All parking must occur in approved parking spaces.

(e) **On-street Parking.** On-street parking is allowed and encouraged along all local roads except that certain sections of roadway may be required by the zoning administrator to be marked as no parking to ensure public safety. Curb bulbouts shall be provided at intersections to cap rows of on-street parking.

![Figure 10 On-street parking with bulbouts.](image)

(f) **Shared Parking.** Shared parking between multiple uses on a site and between development sites within 500 feet of one another is encouraged. Any off-site parking to be used shall require the recording of a perpetual easement prior to occupancy in the office of the Clerk of Court of Florence County, the form and substance of which must be approved by the zoning administrator.

(g) **Loading Area Location.** Loading areas shall be in approved loading areas and screened from the corridor roadway.
(h) **Surface Parking Materials.** Unless otherwise permitted in this Section, parking spaces, drives and aisles shall be constructed of either concrete, asphalt, or concrete pavers, of permeable or impermeable construction. Base material and pavement structure must be suitable for the traffic anticipated to utilize the facility, including emergency vehicles, garbage trucks, and delivery trucks.

Sec. 30-79.8. Motorized and Non-Motorized Cross Access and Driveway Connections.

(a) **Cross-Access Facilities.** Where cross-access facilities exist for vehicular or non-vehicular travel on adjacent lots, development sites must connect to such facilities. Where cross-access facilities do not exist on adjacent lots, development sites shall be designed to accommodate both vehicular and non-vehicular connections in the future. Site plans shall clearly indicate and mark the type and location of future access points.

(b) **Onsite Connections.** Pedestrian and bicycle access is required between offsite planned or existing non-motorized facilities (e.g., sidewalks, multi-use paths, greenways) and onsite building entrances.

(c) **Offsite Facility Construction.** Where offsite non-motorized facilities are proposed within the corridor by approved plans, or the development site abuts an existing facility, each development must construct or extend such facilities along the length of their site consistent with the adopted plan and construction detail.

(d) **Safe Access.** Walkways and bikeways must be designed, located, and signed in a way that ensures safe access across the development site and all ANSI 117.1 access requirements are met.

![Figure 11](image-url) Where non-motorized facilities, such as side paths, are planned with the corridor, each development must construct such facilities.
Sec. 30-79.9. Curb Cut Restrictions.

(a) Number Restricted.

(1) New Development. All parcels in a corridor overlay are allowed one curb cut per 250 feet of road frontage, except for single-family detached residentially zoned parcels and parcels containing single-family detached residential uses on local roads which shall be permitted one access regardless of frontage length.

(2) Redevelopment of Existing Lots. Where curb cuts for existing parcels do not meet the standards specified in this Section, redevelopment of such parcels shall include a plan for curb cut consolidation and relocation consistent with this Section.

(b) Plan Required. As a condition of application approval for a rezoning or for a zoning permit to allow a use other than construction on a single-family residential lot without alternate access, a suitable access management plan must be submitted demonstrating that the 250-foot driveway separation requirement can be met. The following techniques may be employed to achieve this result, but the burden of accomplishing the desired effect remains with the applicant:

(1) Aggregation of parcels

(2) Construction of a parallel frontage road or drive

(3) Shared access

(c) Shared Access. Shared access (driveway) is encouraged. To approve a plan for shared access, a legally binding and recorded shared access agreement must be submitted to the zoning administrator prior to permit approval. Recording shall be with the Clerk of Court of Florence County.

(d) New Roads. New roads shall meet all applicable standards of Florence County's development standards in addition to the following standards.
(1) **Stub Outs Required.** New roads shall be stubbed out to adjacent parcels for future continuation. Adequate turn-around space meeting the county’s road requirements shall be incorporated into the end of each stub that is longer than 150 ft.

(2) **Alley Access Encouraged.** Alley access for new residential and mixed-use subdivisions is encouraged.

(e) **Waiver.** The applicant may receive a waiver of the curb cut distance requirement from the Zoning Board of Appeals (BZA) if:

1. Florence County determines that items (1) and (2) listed in subsection (b) above are impracticable, and
2. The applicant demonstrates to the satisfaction of the BZA that:
   a. The applicant tried in good faith to obtain a shared access agreement without success, or
   b. The nature of the zoning, use, or development pattern on adjoining lots is incompatible with the proposed use of the subject property. For example, it would be incompatible for a residential use to share access with a commercial or industrial use unless it is part of a mixed-use development project.

(f) **Distance From Intersection.** The minimum distance from a street intersection for a new residential or commercial use curb cut shall be 200 feet on arterial roads, 75 feet on collector roads, and 50 feet on local roads, measured from the edge of the intersecting roadway to the edge of the driveway radius. These minimum spacing requirements will be increased if a right-turn deceleration lane is required and shall equal the length of the turn lane and taper plus an additional distance of 50 feet.
(g) **Road Classification and Access.** Residential parcels with frontage along two or more roads shall obtain access from the road with the lowest functional classification. The Zoning Administrator may require or prohibit secondary access via an adjacent street on corner lots being developed for mixed-use, multifamily, or non-residential purposes depending on anticipated impacts and road capacity.

**Sec. 30-79.10. Sign Restrictions.**

(a) **Applicability.** The following restrictions shall apply to all signs located on private property visible from a public roadway and non-motorized facilities.

(b) **Freestanding Signs.**

1. Only monument signs are permitted.
2. A maximum of one sign shall be permitted per road frontage per development site.
3. Signs shall not exceed 50 square feet per sign face.
4. A maximum of two sign faces are permitted per sign structure.
5. Signs, including the structure on which they are located, shall not exceed 10 feet in height.
6. Signs shall be set back a minimum of ten feet from the edge of right-of-way.
7. Only internal illumination of sign faces and structures is permitted.
8. Signs shall be designed and located so they do not interfere with the safe movement of motorized and non-motorized traffic.
9. Any other standard as listed in Article V not covered by this subsection shall be applicable to freestanding signs.

(c) **Wall Signs.** The maximum building coverage of wall signs for non-residential and mixed-use buildings shall be limited to one square foot of signage per linear foot of non-residential building frontage up to a maximum of 100 square feet. All other requirements for wall signs
as well as requirements for signage in residential districts shall meet the standards for signs as listed in Article V.

(d) **Prohibited Signs.** The following sign types and sign elements shall be prohibited:

1. Flashing, blinking, strobing, spinning
2. Audible components
3. Portable signs
4. Billboards

**Sec. 30-80—30-90. Reserved.**

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. – ZONING DISTRICT REGULATIONS, Division 8, Townhouse and Mixed-Use Districts; shall be added and will read as follows:

**DIVISION 8. – TOWNHOUSE AND MIXED-USE DISTRICTS**

**Sec. 30-80.1. Effect of Townhouse and Mixed-Use Districts; Relationship to Plans and Policies.**

(a) **Effect.** Townhouse and mixed-use zoning district regulations as established in this Division apply in addition to all other general zoning district regulations. Wherever the regulations of this Division and other regulations contained within Chapter 30 conflict, the regulations of this Division shall control.

(b) **Relationship to Plans and Policies.** In addition to all other stated purposes, individually and collectively townhouse and mixed-use zoning districts are intended to advance the purposes of the Comprehensive Plan, corridor plans, and similar policies adopted by the county.

**Sec. 30-80.2. Uses Permitted**

(a) **In General.** The following Schedule of Permitted and Conditional Uses indicates uses that are permitted within the districts. Signs are permitted as primary and accessory uses provided they meet all the requirements of this Division and, unless in conflict with this Division, the requirements of Article V.

(b) **Table Interpretation.** A “P” indicates the use is permitted in the indicated district, provided it complies fully with all applicable development standards of this chapter. A “C” indicates the use is conditional and must meet additional conditions as outlined in this Division. An “SE” indicates the use is a special exception subject to additional use conditions outlined in this Division as well as general conditions and procedural requirements as detailed in Article IX of this ordinance. Where the letter "N" is shown, the use to which it refers is not permitted in the indicated district. Where a given use or NAICS reference is not listed in this table, said use shall not be permitted.
## Table XI: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements

<table>
<thead>
<tr>
<th>NAICS</th>
<th>Utilities</th>
<th>Zoning Districts by Type</th>
<th>Off-Street Parking Maximums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Transmission, except energy substations</td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>22112</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Energy substations (Sec. 30-80.4(g))</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>221</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Distribution except energy substations</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>221</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Water Storage</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>22131</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Construction</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>233</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Manufacturing</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>315</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Apparel (Sec. 30-80.4(j))</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>316</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Leather &amp; allied products (Sec. 30-80.4(j))</td>
<td>N</td>
<td>N</td>
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<tr>
<td>321</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td></td>
<td>Wood products (Sec. 30-80.4(j))</td>
<td>N</td>
<td>N</td>
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<tr>
<td>322</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Paper &amp; allied products (Sec. 30-80.4(j))</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>322</td>
<td>N</td>
<td>N</td>
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<tr>
<td></td>
<td>Fabricated metal products (Sec. 30-80.4(j))</td>
<td>N</td>
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<tr>
<td>332</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td></td>
<td>Furniture &amp; related products (Sec. 30-80.4(j))</td>
<td>N</td>
<td>N</td>
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<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
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<tr>
<td></td>
<td>TH</td>
<td>MR</td>
<td>MMF</td>
</tr>
<tr>
<td>Misc. manufacturing indus. (Sec. 30-80.4(j))</td>
<td>339</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Retail</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lawn &amp; garden equipment &amp; supplies stores, excluding farm supply</td>
<td>444240</td>
<td>N</td>
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<tr>
<td>Flea markets (Sec. 30-80.4(i))</td>
<td>4533</td>
<td>N</td>
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<tr>
<td>Automotive fuel stations including electric vehicle charging stations (Sec. 30-80.4(h))</td>
<td>4571</td>
<td>C</td>
<td>N</td>
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<tr>
<td>All other retail, excluding farm supply</td>
<td>455, 458, 459</td>
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<td>Transportation Warehousing</td>
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<tr>
<td>Air transportation excluding freight</td>
<td>481</td>
<td>N</td>
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<tr>
<td>Rail transportation</td>
<td>482</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Transit and ground passenger transportation (Sec. 30-80.4(d))</td>
<td>485</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Couriers &amp; messengers</td>
<td>492</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Scenic &amp; sightseeing transportation</td>
<td>487</td>
<td>N</td>
<td>N</td>
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<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
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<td></td>
<td>TH</td>
<td>MR</td>
<td>MMF</td>
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<tr>
<td>Support activities for transportation (Sec. 30-80.4(e))</td>
<td>488</td>
<td>N</td>
<td>N</td>
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<tr>
<td>U.S. Postal Service</td>
<td>491</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Warehousing &amp; storage</td>
<td>493</td>
<td>N</td>
<td>N</td>
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<tr>
<td><strong>Information</strong></td>
<td></td>
<td></td>
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<tr>
<td>Publishing Industries</td>
<td>511</td>
<td>N</td>
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<tr>
<td>Motion pictures &amp; sound industries</td>
<td>512</td>
<td>N</td>
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<tr>
<td>Motion picture theaters</td>
<td>512131</td>
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<tr>
<td>Broadcasting &amp; telecommunications</td>
<td>513</td>
<td>N</td>
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<tr>
<td>Communication towers &amp; antennas (Sec. 30-29.3(b))</td>
<td>5131</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Communication transmission only, except towers/antennas</td>
<td>5133</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Info, services &amp; data processing</td>
<td>514</td>
<td>N</td>
<td>N</td>
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<td>Libraries</td>
<td>519120</td>
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<td><strong>Finance &amp; Insurance</strong></td>
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<tr>
<td>Banks</td>
<td>521</td>
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<tr>
<td>Credit Intermediation</td>
<td>522</td>
<td>N</td>
<td>N</td>
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<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
<td></td>
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<tr>
<td></td>
<td>TH</td>
<td>MR</td>
<td>MMF</td>
</tr>
<tr>
<td>Security &amp; commodity contracts, financial investments</td>
<td>523</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Insurance carriers &amp; related activities</td>
<td>524</td>
<td>N</td>
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<tr>
<td>Funds, trust, &amp; other financial vehicles</td>
<td>525</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Real Estate &amp; Rental &amp; Leasing</td>
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<tr>
<td>Real estate</td>
<td>531</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Rental &amp; leasing services</td>
<td>532</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Professional, Scientific, Technical Services</td>
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<td></td>
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<tr>
<td>Professional, scientific, technical services</td>
<td>541</td>
<td>N</td>
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<tr>
<td>Legal services</td>
<td>5411</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Engineering, accounting, research management &amp; related services</td>
<td>5412-9</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Tax return prep, service</td>
<td>541213</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Photographic studios, portraits</td>
<td>54192</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Veterinary services</td>
<td>54194</td>
<td>N</td>
<td>N</td>
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<tr>
<td>NAICS</td>
<td>Management of Companies and Enterprises</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
</tr>
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<td>-------</td>
<td>----------------------------------------</td>
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<td>-----------------------------</td>
</tr>
<tr>
<td>551</td>
<td>TH MR MMF MU CMU FO/LI</td>
<td></td>
<td>1.0 per 350 s.f. GFA</td>
</tr>
</tbody>
</table>

| Administrative and Support and Waste Management and Remediation Services |
|-------------------------------------------------|--------------------------|-----------------------------|
| Administrative & support services | 561 | TH MR MMF MU CMU FO/LI | 1.0 per 750 s.f. GFA |
| Landscape services                     | 56173 | TH MR MMF MU CMU FO/LI | 1.0 per 1,000 s.f. GFA |

<p>| Educational Services |
|---------------------|--------------------------|-----------------------------|
| Educational Services | 611 | TH MR MMF MU CMU FO/LI | 1.0 per 200 s.f. GFA |
| Elementary schools  | 6111 | TH MR MMF MU CMU FO/LI | 2.0 spaces per classroom, plus 5.0 admin. spaces |
| Secondary schools   | 6111 | TH MR MMF MU CMU FO/LI | 5.0 spaces per classroom, plus 10 admin. spaces |
| Jr. colleges, colleges, universities, professional schools | 6112-3 | TH MR MMF MU CMU FO/LI | 5.0 per classroom plus 2 per admin. office |
| Business schools, computer, &amp; management training | 6114-5 | TH MR MMF MU CMU FO/LI | 5.0 per classroom plus 2 per admin. office |</p>
<table>
<thead>
<tr>
<th>NAICS</th>
<th>Off-Street Parking Maximums</th>
<th>Zoning Districts by Type</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>TH MR MMF MU CMU FO/LI</td>
</tr>
<tr>
<td>Other schools and instruction</td>
<td>5.0 per classroom plus 2 per admin. office</td>
<td>N N N P P P P</td>
</tr>
<tr>
<td>Education support services</td>
<td>1.0 per 200 s.f. GFA</td>
<td>N N N P P P P</td>
</tr>
<tr>
<td><strong>Health Care and Social Assistance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ambulatory Health Care Services</td>
<td>1.0 per 150 s.f. GFA</td>
<td>N N N P P P N</td>
</tr>
<tr>
<td>Medical &amp; dental laboratories</td>
<td>1.0 per 500 s.f. GFA</td>
<td>N N N P P P N</td>
</tr>
<tr>
<td>Home health care services</td>
<td>1.0 per 500 s.f. GFA</td>
<td>N N N P P P N</td>
</tr>
<tr>
<td>Hospitals</td>
<td>0.7 per bed</td>
<td>N N N P P P N</td>
</tr>
<tr>
<td>Nursing &amp; residential care facilities (Sec. 30-80.4(f))</td>
<td>0.4 per bed, plus 1.0 space per 500 s.f. GFA</td>
<td>P P P C C N</td>
</tr>
<tr>
<td>Social services</td>
<td>1.0 per 350 s.f. GFA</td>
<td>N N N P P P N</td>
</tr>
<tr>
<td>Individual &amp; family social services</td>
<td>1.0 per 350 s.f. GFA</td>
<td>N N N P P P N</td>
</tr>
<tr>
<td>Community, food &amp; housing, &amp; emergency &amp; relief services</td>
<td>1.0 per 200 s.f. GFA</td>
<td>N N N P P P N</td>
</tr>
<tr>
<td>Rehabilitation services</td>
<td>1.0 per 350 s.f. GFA</td>
<td>N N N P P P N</td>
</tr>
<tr>
<td>Day care services</td>
<td>1.0 space per 200 s.f. GFA</td>
<td>P P P P P P P N</td>
</tr>
<tr>
<td><strong>Arts, Entertainment, and Recreation</strong></td>
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<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
</tr>
<tr>
<td>---------------------------</td>
<td>--------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Community gardens</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>None</td>
</tr>
<tr>
<td>Performing art companies</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>1.0 per 200 s.f. GFA</td>
</tr>
<tr>
<td>Spectator sports</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>By individual review</td>
</tr>
<tr>
<td>Museums, historical sites &amp; similar institutions (Sec. 30-80.4(c))</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>1.2 per 1,000 s.f. GFA</td>
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<tr>
<td>Coin operated amusement, cash payouts more than 5 machines (Sec. 30-107)</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>1.0 per 200 s.f. GFA</td>
</tr>
<tr>
<td>Golf courses, public &amp; private</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>5.0 spaces for each hole</td>
</tr>
<tr>
<td>Physical fitness facilities</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>1.0 per 300 s.f. GFA</td>
</tr>
<tr>
<td>Public parks, playgrounds, &amp; community centers</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>1.0 per 250 GFA activity buildings, 1% land area to parks</td>
</tr>
<tr>
<td>Swimming &amp; tennis clubs</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>1.0 space for each 200 s.f. GFA</td>
</tr>
<tr>
<td>Bowling centers</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>5.0 per lane</td>
</tr>
<tr>
<td>Coin operated amusement non-cash payouts</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>1.0 per 200 s.f. GFA</td>
</tr>
<tr>
<td>All other amusement &amp; recreational industries</td>
<td>TH MMF MU CMU FO/LI P</td>
<td>1.0 per 200 s.f. GFA</td>
</tr>
<tr>
<td>NAICS</td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>-------</td>
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<tr>
<td><strong>Accommodation and Food Services</strong></td>
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<tr>
<td>Bed and breakfast inns (Sec. 30-93)</td>
<td>721191</td>
<td>N</td>
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<tr>
<td>Hotels</td>
<td>721110</td>
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<tr>
<td>Rooming &amp; boarding houses, dormitories, group housing</td>
<td>72121</td>
<td>N</td>
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<td>Eating places</td>
<td>7221-3</td>
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<td>Drinking places (Sec. 30-110)</td>
<td>7224</td>
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<td><strong>Other Services (except Public Administration)</strong></td>
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<tr>
<td>Auto repair &amp; maintenance</td>
<td>8111</td>
<td>N</td>
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<tr>
<td>Other repair</td>
<td>8112-4</td>
<td>N</td>
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<tr>
<td>Shoe repair, shoe shine shops</td>
<td>81143</td>
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<td>Personal &amp; laundry services</td>
<td>812</td>
<td>N</td>
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<tr>
<td>Personal care services</td>
<td>8121</td>
<td>N</td>
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<td>Tattoo facilities</td>
<td>812199</td>
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<tr>
<td>Laundry &amp; dry cleaning services</td>
<td>8123</td>
<td>N</td>
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<tr>
<td>NAICS</td>
<td>Zoning Districts by Type</td>
<td>Off-Street Parking Maximums</td>
</tr>
<tr>
<td>-------------</td>
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</tr>
<tr>
<td>Zoning Districts by Type</td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>Pet care</td>
<td>81291</td>
<td>N</td>
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<tr>
<td>Religious organizations</td>
<td>81311</td>
<td>P</td>
</tr>
<tr>
<td>All other personal services</td>
<td>81299</td>
<td>N</td>
</tr>
<tr>
<td>Fraternal, professional, political, civic, business organizations, except religious organizations</td>
<td>813</td>
<td>N</td>
</tr>
<tr>
<td>Public Administration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive, legislative, &amp; general govt.</td>
<td>921</td>
<td>N</td>
</tr>
<tr>
<td>Police protection</td>
<td>92212</td>
<td>P</td>
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<tr>
<td>Fire protection</td>
<td>92216</td>
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<tr>
<td>Administration of human resources</td>
<td>923</td>
<td>N</td>
</tr>
<tr>
<td>Admin. of environmental quality &amp; housing prog.</td>
<td>924-5</td>
<td>N</td>
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<tr>
<td>Administration of economic programs</td>
<td>926</td>
<td>N</td>
</tr>
<tr>
<td>Space research &amp; technology</td>
<td>927</td>
<td>N</td>
</tr>
<tr>
<td>National Security &amp; Internal Affairs</td>
<td>928</td>
<td>N</td>
</tr>
<tr>
<td>Residential Uses</td>
<td></td>
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<tr>
<td>NAICS</td>
<td>Single-family detached</td>
<td>Duplex (Sec. 30-80.4(b))</td>
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</tr>
<tr>
<td></td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>81411</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td>812930</td>
<td>N</td>
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</tr>
</tbody>
</table>

**Accessory uses**

- **Automotive parking lots & garages (Sec. 30-80.4(a))**
  - NAICS: 812930
  - TH: N
  - MR: N
  - MMF: N
  - MU: N
  - CMU: N
  - FO/LI: N
  - Off-Street Parking Maximums: None

- **Accessory apartment (Sec. 30-97)**
  - TH: N
  - MR: C
  - MMF: N
  - MU: N
  - CMU: N
  - FO/LI: N
  - Off-Street Parking Maximums: 1.0 space

- **Auxiliary shed, workshop**
  - TH: N
  - MR: P
  - MMF: N
  - MU: N
  - CMU: N
  - FO/LI: N
  - Off-Street Parking Maximums: None

- **Family day care home**
  - TH: P
  - MR: P
  - MMF: P
  - MU: P
  - CMU: P
  - FO/LI: P
  - Off-Street Parking Maximums: None

- **Home occupation**
  - TH: P
  - MR: P
  - MMF: P
  - MU: P
  - CMU: P
  - FO/LI: N
  - Off-Street Parking Maximums: None

- **Horticulture, gardening**
  - TH: P
  - MR: P
  - MMF: P
  - MU: N
  - CMU: N
  - FO/LI: N
  - Off-Street Parking Maximums: None

- **Non-commercial greenhouse**
  - TH: N
  - MR: P
  - MMF: N
  - MU: N
  - CMU: N
  - FO/LI: N
  - Off-Street Parking Maximums: None
<table>
<thead>
<tr>
<th>NAICS</th>
<th>Zoning Districts by Type</th>
<th>Off-Street Parking Maximums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TH</td>
<td>MR</td>
</tr>
<tr>
<td>Private garage &amp; carport (Sec. 30-80.4(a))</td>
<td>--</td>
<td>C</td>
</tr>
<tr>
<td>Satellite dishes, antennas, solar energy systems, mechanical equipment, and similar ancillary uses</td>
<td>--</td>
<td>P</td>
</tr>
<tr>
<td>Storage building</td>
<td>--</td>
<td>N</td>
</tr>
<tr>
<td>Swimming pool, tennis courts</td>
<td>--</td>
<td>P</td>
</tr>
<tr>
<td><strong>Temporary uses</strong></td>
<td><strong>By individual review</strong></td>
<td></td>
</tr>
<tr>
<td>Temporary uses (Sec. 30-99)</td>
<td>--</td>
<td>C</td>
</tr>
</tbody>
</table>

**Sec. 30-80.3. Uses Prohibited.**

The following uses are prohibited within the mixed-use and townhouse districts:

(a) Storage and stockpiling of sand, gravel, or other aggregates.

(b) Unscreened outdoor storage.

(c) Sexually oriented businesses.

(d) Unscreened vehicular storage not associated with vehicle sales including, but not limited to, automobiles, trucks, construction equipment, boats, and RVs.

(e) Above-ground fuel storage intended for retail or wholesale.

(f) Outdoor shooting and target ranges for firearms, archery, and similar activities.

(g) Warehousing and storage facilities except for storage that is customary to a residential use.

**Sec. 30-80.4. Conditional Use Regulations.**

The regulations contained within this Section are intended to accomplish the same purposes as stated in Article III. Where a conditional use is listed within this Division, and such use is regulated by Article III, the use shall meet the requirements of that Division except for conditions expressly covered below and dimensional standards covered in this Division.
(a) **Automotive Parking Lots & Garages.**

(1) Parking lots and garages may not be located along a public street unless designed with street-facing street-level residential, retail, or office space. This restriction does not apply to parking garages associated with single-family, duplex, triplex, quadruplex, or townhouses developments.

(2) Parking garages associated with single-family, duplex, triplex, quadruplex, or townhouse developments must be located no closer to a public street than the front building line of the primary dwelling structure.

---

**Figure 14** Mixed-use on-street parking on primary streets.

**Figure 15** Mixed-use/multifamily parking lots on secondary streets.
(b) **Residential Uses.** All residential conditional uses shall comply with the following requirements as noted.

1. In mixed-residential, mixed-use, and townhouse districts and on infill lots in existing residential neighborhoods, new multi-dwelling-unit residential buildings shall be designed to mimic single-family detached residential buildings to the maximum extent practicable with regards to building design, roof pitch, driveway and garage design and location, porches, and sidewalks.

2. Site designs shall create a sense of “neighborhood” and shall meet all the following requirements.

1. Buildings shall be sited with front entrances and porches oriented toward streets, drives, and plazas, rather than parking lots.
(2) An internal vehicular circulation system for private streets, when included, shall be 
reflective of a single-family residential street system.

(3) Walkways shall connect all buildings with parking areas, play areas, clubhouses, and 
extisting public sidewalks and multi-use paths adjacent to the development site.

(4) Plazas, clubhouses, pools, and recreational facilities shall be centrally located, when 
provided.

(c) **Museums, Historical Sites, & Similar Institutions.** Museums, interpretive centers, and 
similar institutions located apart from a historic building that is the primary subject of such 
institution shall not be permitted in a residential district.

(d) **Transit and Ground Passenger Transportation.** This use shall be limited to public transit 
stops and private transportation services within residential districts.

(e) **Support Activities for Transportation.** This use shall not include motor vehicle towing 
and stockyards.

(f) **Nursing and Residential Care Facilities.**

(1) Driveway access to accessory structures shall be through the main entrance to the 
facility.

(2) No single building shall be greater than 40,000 square feet if located within 500 feet, as 
measured in any direction from the nearest point, to a lot line of an adjacent residentially 
zoned lot.

(g) **Energy Substations.** Substations shall not be placed along road frontages.

(h) **Automotive Fuel Stations.**

(1) Fuel stations must locate pumps to the side or rear of buildings.

(2) Fuel stations in the MMF, TH, and FO/LI are limited to electric vehicle charging as an 
accessory use.

(i) **Flea Markets.**

(1) Flea markets must be designed to visually integrate buildings and outdoor spaces.

(2) Indoor and outdoor sales are permitted; however, outdoor vending must be clearly 
delineated and separated from parking areas.

(3) Areas for food trucks must be visually and functionally integrated into outdoor vending 
areas and shall not be located or operated in a manner that interferes with the safe 
movement of motorized and non-motorized vehicles and pedestrians.

(4) All outdoor spaces shall be adequately lighted for nighttime use.

(5) Paved walkways are required between buildings and outdoor vending spaces.

(6) All exterior property and premises shall be maintained in a clean, safe, and sanitary 
condition.

(7) Parking areas must be paved and marked.
(8) At least one common area shall be provided with facilities for sitting/resting, eating, and social interaction. If located outdoors, shade structures, trees, or a combination of both shall be provided.

(9) Goods and products must not be stored outside of the site’s primary or secondary structure during non-business hours.

(10) In addition to meeting all of the above requirements, Flea Markets must be granted a special exception by the Board of Zoning Appeals prior to a certificate of zoning compliance being issued.

(j) **Manufacturing Uses.** The intent of this use group is to accommodate light industrial uses and maker spaces (i.e., arts and crafts that commonly involve a manufacturing component) suitable for a mixed industrial and office context. All uses identified as manufacturing uses in this Division are permitted only if all the following conditions are met. Individual uses may contain a manufacturing and retail component.

(1) All uses are located wholly within a building.
(2) Uses have little, if any, impacts beyond the shared walls of the building in which they are located or beyond the property line where walls are not shared. This includes light, noise, vibration, odor, heat, dust, and similar impacts.

Sec. 30-80.5. Dimensional Standards.

(a) Building Placement. All buildings shall meet the requirements noted below.

<table>
<thead>
<tr>
<th>Built-To-Zone Placement (BTZ)**/Setback</th>
<th>Building Type</th>
<th>Zoning Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>TH**</td>
</tr>
<tr>
<td>Font in Feet (min-max BTZ)</td>
<td>Residential</td>
<td>10-20</td>
</tr>
<tr>
<td></td>
<td>MU/Non-Res.</td>
<td>15-25</td>
</tr>
<tr>
<td></td>
<td>Accessory (minimum only)</td>
<td>***</td>
</tr>
<tr>
<td>Interior Side in Feet (setback)</td>
<td>Residential</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>MU/Non-Res.</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Accessory (minimum only)</td>
<td>10</td>
</tr>
<tr>
<td>Street Side in Feet (min-max BTZ)</td>
<td>Residential</td>
<td>15-25</td>
</tr>
<tr>
<td></td>
<td>MU/Non-Res.</td>
<td>20-30</td>
</tr>
<tr>
<td></td>
<td>Accessory (minimum only)</td>
<td>5</td>
</tr>
<tr>
<td>Rear in Feet (setback)</td>
<td>Residential</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>MU/Non-Res.</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Accessory (minimum only)</td>
<td>5</td>
</tr>
</tbody>
</table>

*At least 80% of the building's front wall must meet the maximum build-to-line. The remaining 20% may be located further from the right-of-way if it is dedicated to covered dining or courtyard entrances or another use approved by the Planning Commission. Minor offsets and similar features that add interest and articulation but do not disrupt the overall building plane are permitted.

** Build-to zones and setbacks apply only to the exterior property boundary of the townhouse complex and not each individual townhouse.

*** At or behind the front building line

(b) Building Characteristics. All buildings shall meet the requirements noted below and additional standards as specified in this Chapter except that buildings created solely for the purposes of housing a public utility substation or public water or sewer lift station shall be exempt from these requirements provided the use of the lot is restricted by deed to such...
purpose and acceptable access is provided (deeded or easement). The specifications on how to measure these characteristics shall be the same as noted in Division 1.

<table>
<thead>
<tr>
<th>Zoning Districts by Type</th>
<th>TH</th>
<th>MR</th>
<th>MMF</th>
<th>MU</th>
<th>CMU</th>
<th>FO/LI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Building Height</td>
<td>38 ft</td>
<td>38 ft</td>
<td>4 stories</td>
<td>*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (multifamily and non-residential dwellings only)</td>
<td>.30</td>
<td>.25</td>
<td>.30</td>
<td>Not applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Residential Density (du/ac)</td>
<td>15</td>
<td>10</td>
<td>15</td>
<td>15</td>
<td>20</td>
<td>NA</td>
</tr>
<tr>
<td>Maximum Dwelling Units per Building excluding Permitted Accessory Dwellings</td>
<td>NA</td>
<td>4</td>
<td>24</td>
<td>Not applicable</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*There is no maximum: provided side and rear setbacks are increased by one foot for each two feet in height over 35 feet and buildings are no taller than fire ladder capabilities as determined by the fire department with jurisdiction.

(c) **Lot Characteristics.** All lots shall meet the requirements noted below and additional standards as specified in this Chapter except that lots created solely for the purposes of a public utility substation, public water or sewer lift station, or telecommunications tower shall be exempt from these requirements provided the use of the lot is restricted by deed to such purpose. The specifications on how to measure these characteristics shall be the same as noted in Division 1.

<table>
<thead>
<tr>
<th>Zoning Districts by Type</th>
<th>TH</th>
<th>MR</th>
<th>MMF</th>
<th>MU</th>
<th>CMU</th>
<th>FO/LI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size (residential/non-res) (sq.ft.)</td>
<td>5,000*/12,000</td>
<td>7,500*/12,000</td>
<td>1,500 per du/12,000</td>
<td>Not applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width (ft)</td>
<td>50**</td>
<td>50</td>
<td>25</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td>Minimum Road Frontage (ft)</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td>Site Width to Depth Ratio (w:d) (minimum site depth required)***</td>
<td>Not applicable</td>
<td></td>
<td></td>
<td></td>
<td>1:0.75</td>
<td></td>
</tr>
<tr>
<td>Maximum Impervious Surface Ratio (%)****</td>
<td>45</td>
<td>70</td>
<td>70</td>
<td>80</td>
<td>90</td>
<td>90</td>
</tr>
<tr>
<td>Minimum Park and Open Space Dedication (%)****</td>
<td>15</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Minimum Sidewalk Width (public/private) (ft)</td>
<td>6/5</td>
<td>6/5</td>
<td>6/5</td>
<td>10/6</td>
<td>10/6</td>
<td>6/6</td>
</tr>
</tbody>
</table>

*For the first dwelling. One thousand additional square feet per dwelling unit is required.*
** Townhouse development sites will contain more than one townhouse lot. Minimum lot width shall only apply to the overall townhouse development site and not each individual lot.

*** Development sites may contain more than one parcel. All parcels within the development will be aggregated for this calculation. For example, a development site, regardless of the number of lots, that is 200 feet wide will require a minimum depth of 150 feet.

****Minimum percentage is based on gross acreage of the development site.

Sec. 30-80.6. Additional Regulations Applicable to All Townhouse and Mixed-Use Districts.

(a) Building Design.

(1) Materials. Unfinished concrete masonry and corrugated/sheet metal shall be prohibited on all exterior building faces.

(2) Orientation. All buildings shall be oriented so that the primary building facade faces the primary roadway or a road intersection except for cottage court developments where houses face an internal courtyard.

(3) Grouping. Individual buildings on a development site in the MMF, MU, CMU, and FO/LI districts shall be arranged to create clusters or groups whenever practicable.

(4) Entrances. All buildings shall be designed with a minimum of one pedestrian access point that faces the primary roadway.

(5) Front Stoops and Porches. Front stoops and porches shall have a minimum depth of six feet. Stoops and porches may encroach into a front setback a maximum of six feet but shall not be less than five feet from any property line and must meet the floodplain requirements.

(b) Parking.

(1) Number. Uses shall be required to meet the parking standards as listed in section 30-80.1 (c) Table XI. Parking requirements as listed in the table shall be interpreted as the maximum number of parking spaces permitted within the townhouse and mixed-use districts for a particular use. An exception to this requirement is the maximums for residential uses within the MR, TH, and MMF districts which shall only apply to open-air (surface) parking.

(2) Location. No more than one aisle of parking (two rows maximum) shall be permitted between a building and the roadway right-of-way except for the MR and TH districts. In the MR and TH districts, individual garages may not be closer than 20 feet from a road right-of-way. To preserve sidewalk continuity, alley-accessed parking is recommended for all TH development and MR lots less than 60 feet in width.

(3) On-street Parking. On-street parking is allowed along all local roads except that certain sections of roadway may be required by the zoning administrator to be marked as no parking to ensure public safety. Curb bulb-outs shall be provided at intersections to cap rows of on-street parking.

(4) Shared Parking. Shared parking between uses is encouraged.

(5) Loading Area Location. Loading areas shall be screened from the corridor roadway.

(6) Surface Parking Materials. Parking spaces, drives and aisles shall be constructed of either concrete, asphalt, or concrete pavers, of permeable or impermeable construction.
Base material and pavement structure must be suitable for the traffic anticipated to utilize the facility, including emergency vehicles, garbage trucks, and delivery trucks.

7 Bicycle Parking. Bicycle parking shall be provided for all districts except MR and TH at the ratio of one bicycle space per 20 car spaces provided, with a minimum of two spaces and a maximum of 10 spaces per facility. All spaces shall be covered or provided indoors except spaces for commercial uses, which may be uncovered.

(c) Motorized and Non-Motorized Cross Access and Driveway Connections.

1 Cross-Access Facilities. Where cross-access facilities exist for vehicular or non-vehicular travel on adjacent lots, development sites must connect to such facilities. But on adjacent lots, development sites shall be designed to accommodate both vehicular and non-vehicular connections in the future. Site plans shall clearly indicate and mark the type and location of future access points.

2 Onsite Connections. Pedestrian and bicycle access is required between offsite planned or existing non-motorized facilities (e.g., sidewalks, multi-use paths, greenways) and onsite building entrances.

3 Offsite Facility Construction. Where offsite non-motorized facilities are proposed by approved plans, or the development site abuts an existing facility, each development must construct or extend such facilities along the length of their site consistent with the adopted plan and construction detail.

4 Safe Access. Walkways and bikeways must be designed, located, and signed in a way that ensures safe access across the development site, and all ANSI 117.1 access requirements are met.
(d) **Block Length.** Blocks shall not be less than 200 feet in length nor more than 600 feet.

(e) **Curb Cut Restrictions.**

(1) **Number Restricted.**

   a. **New Development.** All parcels are allowed one curb cut per 250 feet of road frontage, except for single-family detached residentially zoned parcels and parcels containing single-family detached residential uses which shall be permitted one access regardless of frontage length.

   b. **Redevelopment of Existing Lots.** Where curb cuts for existing parcels do not meet the standards specified in this Section, redevelopment of such parcels shall include a plan for curb cut consolidation and relocation consistent with this Section to the maximum extent practicable.

(2) **Width Restricted.**

   a. All single-family detached, duplex, triplex, quadruple, and townhouse uses shall be limited to driveway widths of 20 feet or less.

   b. All other uses shall be limited to 24 feet unless the zoning administrator determines that traffic type (e.g., tractor-trailer trucks and heavy equipment) or need for multiple exit lanes require a greater width.

(3) **Plan Required.** As a condition of application approval for a rezoning for or for a zoning permit to allow a use other than construction on a single-family residential lot without alternate access, a suitable access management plan must be submitted demonstrating that the 250-foot driveway separation requirement can be met. The following techniques may be employed to achieve this result, but the burden of accomplishing the desired effect remains with the applicant:

   a. Aggregation of parcels

   b. Construction of a parallel frontage road

   c. Shared access

(4) **Shared Access.** Shared access (driveway) is encouraged. To approve a plan for shared access, a legally binding and recorded shared access agreement must be submitted to the zoning administrator prior to permit approval.

(5) **New Roads.** New roads created within the corridor shall meet County road standards.

(6) **Stub Outs Required.** New roads shall be stubbed out to adjacent parcels for future continuation. Adequate turn-around space meeting the county’s road requirements shall be incorporated into the end of each stub that is longer than 150 ft.

(7) **Alley Access Encouraged.** Alley access for new residential and mixed-use subdivisions is encouraged.

(8) **Waiver.** The applicant may receive a waiver of the curb cut distance requirement from the Zoning Board of Appeals (BZA) if:

   a. Florence County determines that items (1) and (2) listed in subsection (b) above are impracticable, and
b. The applicant demonstrates to the satisfaction of the BZA that:
   
i. The applicant tried in good faith to obtain a shared access agreement without success, or
   
   ii. The nature of the zoning, use, or development pattern on adjoining lots is incompatible with the proposed use of the subject property. For example, it would be incompatible for a residential use to share access with a commercial or industrial use unless it is part of a mixed-use development project.

(9) **Distance From Intersection.** The minimum distance from a street intersection for a new residential or commercial use curb cut shall be 200 feet on arterial roads, 75 feet on collector roads, and 50 feet on local roads, measured from the edge of the intersecting roadway to the edge of the driveway radius. These minimum spacing requirements will be increased if a right-turn deceleration lane is required and shall equal the length of the turn lane and taper plus an additional distance of 50 feet.
(10) **Road Classification and Access.** Residential parcels with frontage along two or more roads shall obtain access from the road with the lowest functional classification. The county may require or prohibit secondary access via an adjacent street on corner lots being developed for mixed-use, multifamily, or non-residential purposes depending on anticipated impacts and road capacity.

(f) **Screening and Location of Service and Support Areas and Mechanical Equipment.**

(1) **Screening of Rooftop Equipment.** All equipment located on the roof of a mixed-use or non-residential building shall be screened by parapet walls or decorative features acceptable to the zoning administrator.

(2) **Location and Screening of Other Mechanical Equipment.** Ground-mounted mechanical equipment and equipment that is mounted to the side of a structure shall be located on the side or rear of buildings. Equipment shall be screened from view from public roads and adjacent properties.

(3) **Utility Lines.** All utility lines such as electric, water, sewer, stormwater, fiber, telephone, and cable providing onsite services shall be located underground.

(g) **Stormwater Detention, Retention, and Conveyances.**

(1) **Curb and Gutter Required; Exception.** New roads and parking areas shall be designed to discharge stormwater into a curb and gutter system except that onsite bioretention areas, swales, rain gardens and similar low impact development techniques can be used to decrease discharge rates and allow for infiltration. Any net discharge from such treatment areas shall be directed to a curb and gutter system.

(2) **Detention/Retention Design.** A stormwater detention or retention facility must be designed as a site amenity and, where possible, integrated into usable park space open to the public or a property owners association (POA). The applicant will be required to prove that a legally constituted POA has accepted ownership and maintenance responsibility prior to release of a certificate of occupancy.

(h) **Lighting Design.**

(5) **Trespass and Glare.** All lighting shall be from a concealed source as viewed from a public roadway and oriented to prevent light trespass and glare.

(6) **Impact on Residential Parcels.** Lighting adjacent to an offsite residential area shall be directed away from residences and residentially zoned lots.

(i) **Sign Restrictions.**
(1) **Applicability.** The following restrictions shall apply to all signs located on private property visible from a public roadway and non-motorized facilities.

(2) **Freestanding Signs.**
   a. A maximum of one sign shall be permitted per road frontage.
   b. Signs shall not exceed 50 square feet per sign face.
   c. A maximum of two sign faces are permitted per sign structure.
   d. Signs, including the structure on which they are located, shall not exceed 15 feet in height.
   e. Signs shall be set back a minimum of ten feet from the edge of right-of-way.
   f. Only internal illumination of sign faces and structures is permitted.
   g. Signs shall be designed and located so they do not interfere with the safe movement of motorized and non-motorized traffic.
   h. Any other standard as listed in Article V not covered by this subsection shall be applicable to freestanding signs.

(3) **Wall Signs.** The maximum building coverage of wall signs for non-residential and mixed-use buildings shall be limited to one square foot of signage per linear foot of non-residential building frontage up to a maximum of 100 square feet. All other requirements for wall signs as well as requirements for signage in residential districts shall meet the standards for signs as listed in Article V.

(4) **Prohibited Signs.** The following sign types and sign elements shall be prohibited:
   a. Flashing, blinking, strobing, spinning
   b. Audible components
   c. Portable signs
   d. Billboards

**Sec. 30-80.7. Regulations Specific to the MR single-family residential district.**
(a) **Signs.** Signs in the MR district are subject to the same restrictions and allowances as specified in this Chapter for residential districts.

**Sec. 30-80.8. Regulations Specific to the MMF mixed-multi-family residential district.**
(a) **Signs.** Signs in the MMF district are subject to the same restrictions and allowances as specified in this Chapter for residential districts.

**Sec. 30-80.9. Regulations Specific to the TH townhouse residential district.**
(a) **Signs.** Signs in the TH district are subject to the same restrictions and allowances as specified in this Chapter for residential districts.
Sec. 30-80.10. Regulations Specific to the MU mixed-use district.

a. **Signs.** Signs in the MU district are subject to the same restrictions and allowances as specified in this Chapter for the B-4 District.

b. **Location of Residential Units.** Other than townhouses, all residential units shall be located on the upper floors of mixed-use buildings.

Sec. 30-80.11. Regulations Specific to the CMU commercial mixed-use district.

a. **Signs.** Signs in the CMU district are subject to the same restrictions and allowances as specified in this Chapter for the B-4 District.

b. **Location of Residential Units.** All residential units shall be located on the upper floors of mixed-use buildings.

Sec. 30-80.12. Regulations Specific to the FO/R flex office/retail district.

a. **Signs.** Signs in the FO/R district are subject to the same restrictions and allowances as specified in this Chapter for the B-5 District.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE X. – DEFINITIONS; shall be amended to read as follows:

Sec. 30-311. - Definitions.

Words not defined herein shall have the meanings stated in the Standard South Carolina Building Code, Standard South Carolina Plumbing Code, Standard South Carolina Gas Code, South Carolina Mechanical Code, National Electrical Code or Standard Fire Prevention Code or South Carolina Fire Code. Words not defined in the Standard South Carolina 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.

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 chapter.

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 chapter.
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 floodplain 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. 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. A structure which is accessory in nature may be considered to be attached and part of the primary structure when such construction is in accordance with one of the following methods.

1. Twenty percent of the subordinate structure's abutting side must be in direct contact with the wall of the primary structure. (See illustration Method A.)

2. Subordinate structures not in direct contact with the primary structure shall be attached by structures which are enclosed not less than 75 percent, such as sun rooms. The width of the adjoining attachment shall be equal to, or greater than, the horizontal distance between the primary and subordinate structure. (See illustration Method B.)
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.
Build-To Zone. The area of a lot where a building façade must be placed.

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, 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.
**Community garden.** Community gardens are collaborative projects on shared open spaces where participants share in the maintenance and products of the garden, including healthful and affordable fresh fruits and vegetables.

*Photo: missingmiddlehousing.com*

**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.

**Corridor roadway.** The principal road of an established corridor overlay district.

**Cottage court.** A group of small-scale detached dwellings arranged around a shared court visible from the road.

*Photo: missingmiddlehousing.com*

**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, quadruplex.** 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:

1. Has a minimum width over 25 feet (multiple-section);
2. Has a minimum of 1,100 square feet of enclosed living area;
3. Has a minimum 2.0:12 roof pitch; and has a type of shingle commonly used in standard residential construction;
4. 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;
5. Has an entry landing that conforms to the minimum requirement of the current edition of the South Carolina 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.** 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. 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 floodplain 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:

1. 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;

2. 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;
(3) Individually listed on a state inventory of historic places;

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified:

   a. By an approved state program as determined by the Secretary of Interior; or
   b. 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.

*Improvement.* Any manmade 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[(b)](4) of this chapter.

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

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

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

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

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

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

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

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.

Lowest adjacent grade (LAG). 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 chapter.

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. For the purpose of this chapter, the National 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.
Mining. As used in this chapter, "Mining" means the breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores, or other solid matter; any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, and other solid matter from its original location; and the preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial, or construction use; but shall not include those aspects of deep mining not having significant effect on the surface, and shall not include excavation or grading when conducted solely in aid of onsite farming or construction. (S.C. Code 1976, tit. 48, ch. 21, art. II)

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 (S.C. Code 1976, § 23-43-10), 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. 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.

Nonresidential 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:

(1) The appearance of human bare buttocks, anus, male genitals, female genitals, or the areola or nipple of the female breast; or

(2) 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. 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.

Park, neighborhood. A park which serves the population of a neighborhood, is approximately 1-2 acres, and may include playground apparatus, community garden, space for active recreational purposes, or areas for passive use. The site should be public and accessible.

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:

(1) Built on a single chassis;

(2) 400 square feet or less when measured at the largest horizontal projection;

(3) Designed to be self-propelled or permanently towable by a light duty truck; and

(4) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Redevelopment. The act of clearing, rehabilitating, modifying, reconstructing, or reusing an area or structure that includes, but is not limited to, any change to use, structures, streets, parking, access, utilities, parks, recreational areas, and open spaces significant enough to potentially impact adjacent uses, transportation and recreation networks, or community character.
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 two occasions during a ten-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 percent 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 "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, freestanding. 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 chapter 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

**Single-family detached.** A dwelling designed and constructed as a freestanding building that houses one primary dwelling. Such term may include a single-family dwelling that also contains one secondary, or accessory, dwelling unit as regulated by this Chapter.

**Solar energy systems.** For the purposes of this chapter the following words, terms, and phrases, used in this article, shall have the ascribed meanings to them unless stated otherwise:

- **Building-integrated solar system.** An active solar system incorporated into the principal and/or accessory building/structure(s) as an architectural component. Architectural designs include, but are not limited to, roof material, windows, parking facilities, awnings, section of wall, and etcetera.

- **Ground-mounted.** Freestanding pole and tower used to support renewable energy systems (RES).

- **Height.** The vertical distance measured from ground to the foremost tip/end of a roof or the ground-mounted solar/wind apparatus.

- **Integrated energy systems.** Flexible energy techniques used through solar building/integration, and roof and ground-mounted solar systems to produce on-site energy. Integrated energy systems serve as accessory structures on properties with principal structure (i.e. home or business).

- **Renewable energy system.** Energy generated through solar technology for residential, commercial, and industrial uses, and geographical areas in partnership with utility companies.

- **Roof-mounted.** RES affixed to a roof utilizing solar panels to produce energy.

- **Solar collector.** A solar device absorbs and accumulates solar rays for use as a source of energy. The device may be roof-mounted as an accessory use or ground-mounted.

- **Solar energy.** Radiant energy received from the sun collected in the form of heat or light by a solar collector to produce energy.
Solar energy system (SES). The components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited to, solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems. A system fits into one of three system types: Level 1 SES, Level 2 SES, and Level 3 SES.

Level 1 Solar Energy System - Level 1 SESs include the following:
   i. Any roof-mounted system on any code-compliant structure.
   ii. Any ground-mounted system on an area of up to 50 percent of the footprint of the primary structure on the parcel but no more than one acre.
   iii. Any system covering permanent parking lot and other hardscape areas.
   iv. Any building integrated solar (i.e., shingle, hanging solar, canopy, etc.).

Level 2 Solar Energy System - Level 2 SESs are ground mounted commercial-scale systems not included in Level 1 that meet the area restriction listed below:
   i. RU-1/RU-2: SES ≤1/2 acres
   ii. R-1: SES ≤1/2 acre
   iii. R-2/R-3: SES ≤1/2 acre
   iv. R-4/R-5 ≤1/2 acre
   v. B-1/B-2: SES ≤10 acres
   vi. B-3: SES ≤10 acres
   vii. B-4: SES ≤10 acres
   viii. B-5/B-6: SES >10 acres

Level 3 Solar Energy System — Level 3 SESs are utility-scale systems that do not satisfy the parameters for a Level 1 or Level 2 solar energy system.

Solar farm. A series of ground mounted solar collectors placed in an area for generating photovoltaic (PV) power as a commercial enterprise. The minimum size for a solar farm is five acres.

Thermal energy. Solar technology converted into heat energy.

South Carolina Manufactured Housing Board. 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 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. 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 50 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 is:

(1) 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) 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.

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.

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. 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, accessory. See "building, accessory."

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 COUNCIL:**
This item is tentatively scheduled to appear for introduction Thursday, November 16, 2023 @ 9:00 a.m. at the Florence County Complex, 180 N Irby Street, Florence, SC 29501.

**FLORENCE COUNTY PLANNING COMMISSION ACTION OCTOBER 24, 2023:**
Seven Commission members voted 7 to 0 to approve the proposed text amendment.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**
Florence County Planning Commission recommends approval of the proposed text amendment request to the Florence County Council to amend Chapter 30 - ZONING ORDINANCE, ARTICLE I. – ESTABLISHMENT, PURPOSE, RULES FOR THE INTERPRETATION OF ZONING DISTRICTS, AND ZONING ANNEXED PROPERTY, And ARTICLE II. – ZONING DISTRICT REGULATIONS, And ARTICLE X. – DEFINITIONS.
AGENDA ITEM: Ordinance No. 22-2023/24
Third Reading

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance To Change The Zoning Designation From Unzoned To R-3A Single Family Residential Consisting Of The Following Properties As They Are Reflected On The Tax Maps As:
00175-01-029, 00175-01-030, 00175-01-031, 90125-01-001, 90125-01-002, 90125-01-003,
90125-01-004, 90125-01-005, 90125-01-006, 90125-01-007, 90125-01-008, 90125-01-009,
90125-01-010, 90125-01-011, 90125-01-012, 90125-01-013, 90125-01-014, 90125-01-015,
90125-01-016, 90125-01-017, 90125-01-018, 90125-01-019, 90125-01-020, 90125-01-021,
90125-01-022, 90125-01-023, 90125-01-024, 90125-01-025, 90125-01-026, 90125-01-027,
90125-01-028, 90125-01-029, 90125-02-001, 90125-02-002, 90125-02-003, 90125-02-004,
90125-02-005, 90125-02-006, 90125-02-007, 90125-03-001, 90125-03-002, 90125-03-003,
90125-03-004, 90125-03-005, 90125-03-006, 90125-03-007, 90125-03-008, 90125-03-009,
90125-03-010, 90125-03-011, 90125-03-012, 90125-03-013, 90125-03-014, 90125-03-015,
90125-03-016, 90125-03-017, 90125-03-018, 90125-03-019, 90125-03-020, 90125-03-021; And
Other Matters Related Thereto.] (Planning Commission Approved 7 to 0; Council District 7)

POINTS TO CONSIDER:
1. This map amendment was requested by Florence County.
2. The subject properties are currently unzoned with current uses consisting primarily of residential.
3. Subject properties are surrounded by vacant, residential, and the City of Florence zoning.

OPTIONS:
1. (Recommended) Approve As Presented.
2. Provide An Alternate Direction.

ATTACHMENTS:
1. Ordinance No. 22-2023/24
2. Staff report for PC#2023-35
3. Aerial Map
ORDINANCE NO. 22-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY


WHEREAS:

1. This map amendment was requested by Florence County, and

2. The subject properties are currently unzoned with current uses consisting primarily of residential, and

3. Subject properties are surrounded by vacant, residential, and the City of Florence zoning.

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


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:

_____________________________
Hope M. Jones, Council Clerk

SIGNED:

_____________________________
Willard Dorriety, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney
STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
Tuesday, October 24, 2023
PC#2023-35

SUBJECT: Map Amendment Requested By Florence County To Change The Zoning Designation From Unzoned To R-3A Single Family Residential.

LOCATION: Williamsburg Circle


COUNCIL DISTRICT(S): 7; County Council

APPLICANT: County of Florence

ZONING/LAND AREA: All properties are currently unzoned

STAFF ANALYSIS:

1. **Existing Land Use and Zoning:**
   The subject properties are currently unzoned with current uses consisting primarily of residential use.

2. **Proposed Land Use and Zoning:**
   The proposed zoning recommendation for the subject properties is R-3A (Single Family Residential).

3. **Surrounding Land Use and Zoning:**
   North: Residential, Vacant/RU-1, Unzoned
   East: Vacant/ RU-1, Unzoned
   South: Residential, Vacant/Unzoned, City of Florence Zoning
   West: Vacant, Residential / Unzoned, City of Florence Zoning
4. **Florence County Comprehensive Plan:**
   The recommended zoning district is compatible with the subject properties future land use designation.

**FLORENCE COUNTY COUNCIL MEETING:**
This item is tentatively scheduled to appear on the agenda on Thursday, November 16, 2023 @ 9:00 a.m. at the Florence County Complex, 180 N Irby Street. Florence, SC.

**FLORENCE COUNTY PLANNING COMMISSION ACTION OCTOBER 24, 2023:**
Seven Commission members voted 7 to 0 to approve the proposed map amendment request.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**
Florence County Planning Commission recommends approval of the proposed map amendment request to the Florence County Council to amend the zoning designation for the referenced parcels from Unzoned to (R-3A) Single Family Residential.
AGENDA ITEM: Ordinance No. 23-2023/24
Third Reading

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance To Change The Zoning Designation From R-3 Single Family Residential To R-3A Single Family Residential Consisting Of The Following Property As It Is Reflected On The Tax Maps As: 90125-01-048; And Other Matters Related Thereo.] (Planning Commission Approved 7 to 0; Council District 7)

POINTS TO CONSIDER:
1. This map amendment was requested by Florence County.
2. The subject property is currently zoned R-3 Single Family Residential with current use being residential.
3. Subject property is surrounded by vacant, residential, and the City of Florence zoning.

OPTIONS:
1. (Recommended) Approve As Presented.
2. Provide An Alternate Direction.

ATTACHMENTS:
1. Ordinance No. 23-2023/24
2. Staff report for PC#2022-36
3. Aerial Map
ORDINANCE NO. 23-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Change The Zoning Designation From R-3 Single Family Residential To R-3A Single Family Residential Consisting Of The Following Property As It Is Reflected On The Tax Maps As: 90125-01-048; And Other Matters Related Thereto.]

WHEREAS:

1. This map amendment was requested by Florence County, and
2. The subject property is currently zoned R-3 Single Family Residential with current use being residential, and
3. Subject property is surrounded by vacant, residential, and the City of Florence zoning.

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

1. Property Located On E. McIver Road, Florence As Shown On The Following Tax Map As: 90125-01-048 is hereby Rezoned to (R-3A) Single Family Residential.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:  
______________________________
Hope M. Jones, Council Clerk

SIGNED:  
______________________________
Willard Dorriety, Jr., Chairman

COUNCIL VOTE:

APPROVED:  
D. Malloy McEachin, Jr., County Attorney

OPPOSED:

ABSENT:

STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
Tuesday, October 24, 2023
PC#2023-36

SUBJECT: Map Amendment Requested By Florence County To Change The Zoning Designation From R-3 Single Family Residential To R-3A Single Family Residential.

LOCATION: Williamsburg Circle

TAX MAP NUMBERS: 90125-01-048

COUNCIL DISTRICT(S): 7; County Council

APPLICANT: County of Florence

ZONING/LAND AREA: R-3 Single Family Residential

STAFF ANALYSIS:

1. Existing Land Use and Zoning:
The subject property is currently zoned R-3 Single Family Residential with current use being residential.

2. Proposed Land Use and Zoning:
The proposed zoning recommendation for the subject property is R-3A (Single Family Residential).

3. Surrounding Land Use and Zoning:
North: Residential, Vacant/ Unzoned
East: Vacant/ R-1, Unzoned
South: Residential, City of Florence Zoning
West: Vacant, Residential/ Unzoned/ City of Florence Zoning

4. Florence County Comprehensive Plan:
The recommended zoning district is compatible with the subject properties future land use designation.

FLORENCE COUNTY COUNCIL MEETING:
This item is tentatively scheduled to appear on the agenda on Thursday, November 16, 2023 @ 9:00 a.m. at the Florence County Complex, 180 N Irby Street. Florence, SC.

FLORENCE COUNTY PLANNING COMMISSION ACTION OCTOBER 24, 2023:
Seven Commission members voted 7 to 0 to approve the proposed map amendment request.

FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:
Florence County Planning Commission recommends approval of the proposed map amendment request to the Florence County Council to amend the zoning designation for the referenced parcel from R-3 Single Family Residential to R-3A Single Family Residential.
Proposed Zoning
PC#2023-36
R-3A
0.03 0.05 Miles
PC#2023-36
AGENDA ITEM: Ordinance No. 24-2023/24
Third Reading

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance To Change The Zoning Designation For A Portion Of The Property Of Tax Map Number 70007, Block 02, Parcel 001 Located At The Intersection of W. Smith Street And W. Market Street, Timmonsville, SC From R-3 Single Family Residential To B-3 General Commercial; And Other Matters Related Thereto.] (Planning Commission Approved 7 to 0; Council District 4)

POINTS TO CONSIDER:
1. This map amendment was requested by CDP Timmonsville 2, LLC.
2. The subject property is currently zoned R-3 Single Family Residential and B-3 General Commercial with the current use being vacant.
3. Surrounding land uses consist of vacant, residential, and commercial.

OPTIONS:
1. (Recommended) Approve As Presented.
2. Provide An Alternate Direction.

ATTACHMENTS:
1. Ordinance No. 24-2023/24
2. Staff report for PC#2023-37
3. Location Map
4. Zoning Map
5. Aerial Map
ORDINANCE NO. 24-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Change The Zoning Designation For A Portion Of The Property Of Tax Map Number 70007, Block 02, Parcel 001 Located At The Intersection of W. Smith Street And W. Market Street, Timmonsville, SC From R-3 Single Family Residential To B-3 General Commercial; And Other Matters Related Thereto.]

WHEREAS:

1. This map amendment was requested by CDP Timmonsville 2, LLC; and

2. The subject property is currently zoned R-3 Single Family Residential and B-3 General Commercial with the current use being vacant; and,

3. Surrounding land uses consist of vacant, residential, and commercial.

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

1. A Portion Of Property Located At The Intersection of W. Smith Street and W. Market Street, Timmonsville, SC, As Shown On Florence County Tax Maps As: 70007-02-001; Is Hereby Rezoned From R-3 Single Family Residential To B-3 General Commercial.

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:

________________________________________  _____________________
Hope M. Jones, Council Clerk              Willard Dorriety, Jr., Chairman

COUNCIL VOTE:

____________________________  APPROVED:   ABSENT:
D. Malloy McEachin, Jr., County Attorney
SUBJECT: Map Amendment Requested By CDP Timmonsville 2, LLC To Change The Zoning Designation For A Portion Of The Property Of Tax Map Number 70007, Block 02, Parcel 001 Located At The Intersection of W. Smith Street And W. Market Street, Timmonsville, SC From R-3 Single Family Residential To B-3 General Commercial.

LOCATION: Intersection of W. Smith Street and W. Market Street, Timmonsville

TAX MAP NUMBERS: 70007, Block 02, Parcel 001

COUNCIL DISTRICT(S): 4; County Council

OWNER OF RECORD: Joyce Booth

APPLICANT: CDP Timmonsville 2, LLC

ZONING/LAND AREA: R-3/Approximately 4.90 acres

WATER/SEWER AVAILABILITY: Water Availability

ADJACENT WATERWAYS/ BODIES OF WATER: N/A

FLOOD ZONE: N/A

PARCEL ZONING DESIGNATIONS: R-3

STAFF ANALYSIS:

1. **Existing Land Use and Zoning:**
   The subject property is currently vacant and zoned R-3 Single Family Residential and B-3 General Commercial.

2. **Proposed Land Use and Zoning:**
   The proposal is to rezoned a portion of the property to B-3 General Commercial.

3. **Surrounding Land Use and Zoning:**
   North: Florence County/Commercial/B-3
South: Florence County, Vacant, Residential/R-3
West: Florence County/Commercial/B-3
East: Florence County/Residential/R-3, B-3

4. Transportation Access and Circulation:
   Present access to the property is by the way of W. Smith Street and W. Market Street in Timmonsville, SC.

5. Traffic Review:
   The rezoning of this property from a residential use to a commercial use may have an impact on traffic flow.

6. Florence County Comprehensive Plan:
   The future land use designation for the property is currently Variable Development District 1. The requested rezoning of the property is compatible with the designated future land use.

FLORENCE COUNTY COUNCIL MEETING:
This item is scheduled on the agenda on Thursday, November 16, 2023 @ 9:00 a.m. in room 803 of the County Complex, 180 North Irby Street, Florence.

FLORENCE COUNTY PLANNING COMMISSION ACTION OCTOBER 24, 2023:
Seven Commission members voted 7 to 0 to approve the requested map amendment request.

FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:
Florence County Planning Commission recommends approval of the requested map amendment request to the Florence County Council to amend a portion of the zoning designation for the referenced parcel from R-3 Single Family Residential to B-3 General Commercial.
AGENDA ITEM: Ordinance 25-2023/24 Third Reading

DEPARTMENT: Parks and Recreation

ISSUE UNDER CONSIDERATION:
To Amend Florence County Code Of Ordinances Section 23-11 (a) To Increase The Fee To Be Collected For Campground Sites In Florence County And Other Matters Relating Thereto.

POINTS TO CONSIDER:
1. County Council adopted Ordinance No. 7-1981/82, which established the fee for campground sites.
2. County Council approved a campground fee increase on March 15, 2018 to $20. The fees have not increased for a period of five years.
3. The Recreation Commission has approved an increase to the campground fees during their last meeting, to increase the fee to $50.
4. Florence County Code Requires County Council approval for an increase in fees.

OPTIONS:
1. (Recommend) approved as presented.
2. Provide an alternate directive.

ATTACHMENTS:
1. Copy of the proposed Ordinance 25-2023/24 second reading.
2. Copy of a letter and documents from the Recreation Commission Board.
COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

AN ORDINANCE TO AMEND FLORENCE COUNTY CODE OF ORDINANCES SECTION 23-11(a) TO INCREASE THE FEE TO BE COLLECTED FOR CAMPGROUND SITES IN FLORENCE COUNTY AND OTHER MATTERS RELATING THERETO.

WHEREAS:

1. County Council adopted Ordinance No. 7-1981/82, which established the fee for campground sites; County Council approved Campground Fee Increase on March 15, 2018; and

2. The fees have not increased for a period of over five years; and

3. The Parks & Recreation Director and the Recreation Commission has requested that the fee be increased to $50.

4. Under Section 23-12(a) the Recreation Commission has the authority to make bylaws for the management and regulation of its affairs, consistent with Article IV of the Florence County Code.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of Florence County, the Florence County Council, in meeting duly assembled, as follows:

Section 1. The Florence County Council hereby amends the Florence County Code of ordinances by Section 23-11(a) and inserting the following language:

Pursuant to authority under South Carolina Code Ann. Section 23-11(a), a fee of $50 shall be paid for the issuance of an application for campground site and/or equestrian campground site.

Section 2. All provisions in other County Ordinances or Resolutions are in conflict with this Ordinance are hereby repealed.

Section 3. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or application 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:

____________________________

Council Clerk  Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:
Purpose: To establish updated fees to for the new Family Campground and Equestrian Campground.

With the addition of the Family Campground and the upgrades being made to the current campground to make it equestrian-friendly, LRCP staff requests the approval of the following fee schedule to take effect immediately in the current campground and upon completion of the Family Campground:

- Equestrian Campground: $50 per night; includes water and electric hook-ups as well as two corrals per site.
- Family Campground: $50 per night; includes water and electric hook-ups at each site.
To Whom It May Concern,

The Recreation Commission has approved an increase to campground fees at Lynches River County. It was approved by nine members. No Commission members voted against. One member chose to abstain. Current overnight campground stays at Lynches River County Park cost $20. Commission approved a new rate of $50 per night. This increase is justified by the recent construction of a new campground, redesign of the original campground, and the addition of amazing amenities. Furthermore, the additional revenue will offset the increase in utility costs. As Chairman of the Recreation Commission, I am writing this letter to convey the importance of this increase in hopes of County Council’s approval.

Sincerely,

Kenny Lovette

Chairman, Recreation Commission
<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Amenities</th>
<th>Price</th>
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</thead>
<tbody>
<tr>
<td>Crossroads Coach Resort at the Rob</td>
<td>Florence</td>
<td>Swimming pool</td>
<td>Thurs-Sat: $64.95/night Sun-Wed: $54.95/night Monthly rate: $550 Daily rates: $35/night Tent daily rate: $31.20 RV daily rate: $64.80 RV weekly rate: $364 RV sites: $47 RV sites: $65-70 depending on time of year</td>
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<tr>
<td>Swamp fox Campground</td>
<td>Florence</td>
<td>Cabins, Wi-Fi swimming pool, dog park, fishing</td>
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<tr>
<td>Florence RV Park</td>
<td>Florence</td>
<td>Wi-Fi, swimming pool</td>
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<td>Cheraw</td>
<td>Cheraw</td>
<td>Fishing, boat ramp, playground, swimming area, biking, hiking trails</td>
<td>RV site: $60 Sun-Thur-$44 RV site: $60 Sun-Thur-$44 RV site: $32.47 RV sites: $35-40</td>
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<tr>
<td>Murrell's Inlet</td>
<td>Myrtle Beach</td>
<td>Fishing, Wi-Fi, kayaking, playground, picnic shelters, biking, hiking</td>
<td>RV sites between $32-47 Standard RV rates: $52.50/night; $285/week Deluxe rates: $62.50/night; $355/week</td>
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<tr>
<td>Myrtle Beach State Park</td>
<td>Winnsboro</td>
<td>Fishing, kiakaying, playground, picnic shelter, hiking trails, disc golf</td>
<td>RV sites: $38/weekdays; $45/weekends</td>
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<tr>
<td>Lake Wateree State Park</td>
<td>Chester</td>
<td>Fishing, kayaking, playground, picnic shelter, hiking trails, disc golf</td>
<td>2 corrals per site; fishing, hiking, picnic shelters, canoeing/kayaking</td>
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<tr>
<td>Colleton State Park</td>
<td>Dillon</td>
<td>Kayaking, pier fishing, playground, picnic shelter, disc golf, disc golf</td>
<td>2 night min: $52 Family campground; $68 equestrian camping</td>
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<td>Bass Lake Campground</td>
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<td>Wi-Fi, store, picnic tables, RV storage</td>
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<tr>
<td>Little Pee Dee State Park</td>
<td>Bishopville</td>
<td>Kayaking, pier fishing, playground, picnic shelter, disc golf</td>
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<tr>
<td>Lee State Park</td>
<td>Bishopville</td>
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AGENDA ITEM: Ordinance No. 26-2023/24 Third Reading Deferred

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION: An Ordinance For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III- CONDITIONAL USE REGULATIONS, Sec. 30-111(6)(d) Mining And Extraction Operations; And Chapter 30- ZONING ORDINANCE, ARTICLE II.- ZONING DISTRICT REGULATIONS, Sec. 30-29- Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Business & Rural Districts; Sec. 30-117-30-120. Reserved; And Other Matters Related Thereto.

POINTS TO CONSIDER:
1. The intent of this text amendment is to update Florence County Code of Ordinances regarding mining operations in Florence County.
2. Staff is asking Council to defer the third reading of the Ordinance, in order for The Planning Department and the Planning Commission to discuss the Ordinance.

OPTIONS:
1. (Recommend) To defer the third reading of Ordinance No. 26-2023/24.
2. Provide an alternate directive.

ATTACHMENTS:
ORDINANCE NO. 26-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance For Text Amendments To The Florence County Code Of Ordinances Chapter 30, ZONING ORDINANCE, ARTICLE III. - CONDITIONAL USE REGULATIONS, Sec. 30-111(6) (d) Mining and extraction operations; And Chapter 30 - ZONING ORDINANCE, ARTICLE II. - ZONING DISTRICT REGULATIONS, Sec. 30-29 - Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Business & Rural Districts; And Sec. 30-117-30-120. Reserved; And Other Matters Related Thereto.]

WHEREAS:

1. The intent of this text amendment is to update Florence County Code of Ordinance regarding mining operations in Florence County.

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

1. The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE II. - Table II: Schedule of permitted and conditional uses and off- street parking requirements for business and rural districts. Shall be amended to read as follows:

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<th>NAICS</th>
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<th>B-3</th>
<th>B-4</th>
<th>B-5</th>
<th>B-6</th>
<th>RU-1</th>
<th>RU-1A</th>
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<td>Sector 11: Agriculture, Forestry, Fishing, and Hunting</td>
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<td>Agricultural production, livestock, animals 112</td>
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**Sector 42: Wholesale Trade**

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**Sector 44-45: Retail Trade**

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<td>Sporting goods, Hobbies, Books, &amp; Music</td>
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Sector 48-49: Transportation Warehousing
<p>| Industry                                           | Code | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use | Use |
|----------------------------------------------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Air transportation                                 | 481  | N   | N   | P   | N   | P   | P   | N   | N   | N   | 1.0 per 250 s.f. GFA |
| Rail transportation                                | 482  | N   | N   | P   | P   | P   | P   | P   | P   | P   | 1.0 per 500 s.f. GFA |
| Truck transportation                               | 484  | N   | N   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 500 s.f. GFA |
| Transit and ground passenger transportation        | 485  | N   | N   | P   | P   | P   | N   | N   | N   | N   | 1.0 per 500 s.f. GFA |
| Scenic &amp; sightseeing transportation               | 487  | P   | P   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 500 s.f. GFA |
| Support activities for transportation              | 488  | N   | N   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 500 s.f. GFA |
| U.S. Postal Service                               | 491  | P   | P   | P   | P   | P   | P   | P   | P   | P   | 1.0 per 350 s.f. GFA |
| Couriers &amp; messengers                             | 492  | P   | P   | P   | P   | P   | N   | N   | N   | N   | 1.0 per 500 s.f. GFA |
| Warehousing &amp; storage                             | 493  | N   | N   | P   | P   | P   | P   | P   | P   | P   | 1.0 per 1,000 s.f. GFA |
| <strong>Sector 51: Information</strong>                        |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Publishing Industries                             | 511  | N   | P   | P   | P   | P   | P   | P   | P   | P   | 1.0 per 500 s.f. GFA |
| Motion pictures &amp; sound industries                | 512  | N   | P   | P   | P   | P   | N   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| Motion picture theaters                           | 512131 | N   | P   | P   | P   | N   | N   | N   | N   | N   | 1.0 per 5 seats |
| Broadcasting &amp; telecommunications                 | 513  | N   | P   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| Communication tower &amp; ant. (section 30-101)       | 5131 | N   | C   | C   | C   | C   | C   | C   | C   | C   | None |
| Info, services &amp; data processing                  | 514  | N   | P   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| Libraries                                         | 519120 | P   | P   | P   | P   | P   | N   | P   | P   | N   | 1.0 per 350 s.f. GFA |
| <strong>Sector 52: Finance &amp; Insurance</strong>                |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Banks                                             | 521  | P   | P   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| Credit intermediation                              | 522  | P   | P   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| Pawn Shops                                        | 52298 | N   | N   | P   | P   | N   | N   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| Security &amp; commodity contracts, financial investments | 523 | P   | P   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| Insurance carriers &amp; related activities            | 524  | P   | P   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| Funds, trust, &amp; other financial vehicles           | 525  | P   | P   | P   | P   | P   | P   | N   | N   | N   | 1.0 per 350 s.f. GFA |
| <strong>Sector 53: Real Estate &amp; Rental &amp; Leasing</strong>      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Real estate                                       | 531  | P   | P   | P   | P   | P   | P   | P   | P   | P   | 1.0 per 350 s.f. GFA |</p>
<table>
<thead>
<tr>
<th>Service Description</th>
<th>Code</th>
<th>N</th>
<th>N</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>1.0 per 25 storage units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mini-warehouses</td>
<td>53113</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rental &amp; leasing services</td>
<td>532</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>1.0 per 500 s.f. GFA</td>
</tr>
<tr>
<td>Video tape rental (section 30-103)</td>
<td>53223</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>C</td>
<td>N</td>
<td>1.0 per 350 s.f. GFA</td>
</tr>
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</table>

### Sector 54: Professional, Scientific, Technical Services

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Code</th>
<th>N</th>
<th>N</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>N</th>
<th>P</th>
<th>P</th>
<th>N</th>
<th>1.0 per 300 s.f. GFA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Display advertising - Signs</td>
<td>54185</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>See article V</td>
<td></td>
</tr>
<tr>
<td>Legal services</td>
<td>5411</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>1.0 per 350 s.f. GFA</td>
</tr>
<tr>
<td>Engineering, accounting, research management &amp; related services</td>
<td>5412-9</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>1.0 per 350 s.f. GFA</td>
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<tr>
<td>Tax return prep, service</td>
<td>541213</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>1.0 per 500 s.f. GFA</td>
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<tr>
<td>Photographic studios, portraits</td>
<td>54192</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>1.0 per 300 s.f. GFA</td>
<td></td>
</tr>
<tr>
<td>Veterinary services</td>
<td>54194</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>1.0 per 1,000 s.f. GFA</td>
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</table>

### Sector 55: Management of Companies and Enterprises

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Code</th>
<th>N</th>
<th>N</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>1.0 per 350 s.f. GFA</th>
</tr>
</thead>
</table>

### Sector 56: Administrative and Support and Waste Management and Remediation Services

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Code</th>
<th>N</th>
<th>N</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>1.0 per 750 s.f. GFA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative &amp; support services</td>
<td>561</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Landscape services</td>
<td>56173</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>1.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Refuse systems (section 30-104)</td>
<td>562</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>1.0 per 500 s.f. GFA</td>
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</table>

### Sector 61: Educational Services

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Code</th>
<th>N</th>
<th>N</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>1.0 per 200 s.f. GFA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational Services</td>
<td>611</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>1.0 per 200 s.f. GFA</td>
<td></td>
</tr>
<tr>
<td>Elementary schools</td>
<td>6111</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>2.0 per classroom plus 5 admin, spaces</td>
<td></td>
</tr>
<tr>
<td>Secondary schools</td>
<td>6111</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>5.0 per classroom plus 10 admin. spaces</td>
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<tr>
<td>Jr. colleges, colleges, universities, professional schools</td>
<td>6112-3</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>5.0 per classroom plus 2 per admin. office</td>
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<tr>
<td>Business schools, computer, &amp;</td>
<td>6114-5</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>5.0 per classroom plus</td>
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<tr>
<td>Management training</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>2 per admin. office</td>
<td>5.0 per classroom plus 2 per admin. Office</td>
</tr>
<tr>
<td>----------------------------</td>
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<td>---</td>
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<tr>
<td>Other schools and instruction</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>1.0 per 200 s.f. GFA</td>
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<tr>
<td>Education support services</td>
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<td>P</td>
<td>P</td>
<td>P</td>
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<td>N</td>
<td>N</td>
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<tr>
<td>Medical &amp; dental laboratories</td>
<td>6215</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<td>N</td>
<td>N</td>
<td>1.0 per 500 s.f. GFA</td>
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<tr>
<td>Home health care services</td>
<td>6216</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>1.0 per 500 s.f. GFA</td>
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</tr>
<tr>
<td>Hospitals</td>
<td>622</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>0.7 per bed</td>
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<tr>
<td>Nursing &amp; residential care facilities</td>
<td>623</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>0.4 per bed</td>
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</tr>
<tr>
<td>Nursing Care facilities</td>
<td>623</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>1.0 per 500 s.f. GFA</td>
<td></td>
</tr>
<tr>
<td>Community care for elderly</td>
<td>623</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>0.4 per bed</td>
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<tr>
<td>Social services</td>
<td>624</td>
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<td>P</td>
<td>P</td>
<td>P</td>
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<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>1.0 per 350 s.f. GFA</td>
<td></td>
</tr>
<tr>
<td>Individual &amp; family social services</td>
<td>6241</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>1.0 per 350 s.f. GFA</td>
<td></td>
</tr>
<tr>
<td>Community, food &amp; housing &amp; emergency &amp; relief services</td>
<td>6242</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>1.0 per 350 s.f. GFA</td>
<td></td>
</tr>
<tr>
<td>Rehabilitation services</td>
<td>6243</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>1.0 per 350 s.f. GFA</td>
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<tr>
<td>Day care services</td>
<td>6244</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>1.0 per 200 s.f. GFA</td>
<td></td>
</tr>
</tbody>
</table>

**Sector 62: Health Care and Social Assistance**

<p>| Performing art companies | 7111 | P | P | P | N | N | N | N | N | N | 1.0 per 200 s.f. GFA |
| Spectator sports | 7112 | N | N | P | P | P | N | N | N | N | By individual review |
| Museums, historical sites, &amp; similar institutions | 712 | P | P | P | P | N | N | N | N | N | 1.2 per 1,000 s.f. GFA |
| Coin operated amusement, cash payouts more than 5 machines (section 30-107) | 7132 | N | N | C | N | N | N | N | N | N | 1.0 per 200 s.f. GFA |
| Golf courses &amp; country clubs | 71391 | N | N | P | N | P | P | N | N | P | 5.0 per hole |
| Marinas | 71392 | N | N | N | N | P | P | P | P | P | 1.0 per slip |
| Public parks &amp; playgrounds | 71394 | P | P | P | P | P | P | P | P | P | 1% land area |
| Physical fitness facilities | 71394 | N | P | P | P | P | P | N | N | N | 1.0 per 300 s.f. GFA |</p>
<table>
<thead>
<tr>
<th>Sector 72: Accommodation and Food Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodations 721</strong></td>
</tr>
<tr>
<td>Bed and breakfast inns (section 30-93)</td>
</tr>
<tr>
<td>Camps &amp; recreational vehicle parks</td>
</tr>
<tr>
<td>Rooming &amp; boarding houses, dormitories, group housing</td>
</tr>
<tr>
<td>Eating places (section 30-110)</td>
</tr>
<tr>
<td>Drinking places (section 30-110)</td>
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</table>

<table>
<thead>
<tr>
<th>Sector 81: Other Services (except Public Administration)</th>
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</thead>
<tbody>
<tr>
<td>Auto repair &amp; maintenance (section 30-103)</td>
</tr>
<tr>
<td>Car washes (multiple bays)</td>
</tr>
<tr>
<td>Other repair (section 30-103)</td>
</tr>
<tr>
<td>Shoe repair, shoe shine shops</td>
</tr>
<tr>
<td>Personal &amp; laundry services</td>
</tr>
<tr>
<td>Personal care services</td>
</tr>
<tr>
<td>Tattoo facilities (section 30-113)</td>
</tr>
<tr>
<td>Funeral homes &amp; services</td>
</tr>
<tr>
<td>Cemeteries</td>
</tr>
<tr>
<td>Crematories</td>
</tr>
<tr>
<td>Laundry &amp; dry cleaning services</td>
</tr>
<tr>
<td>Coin operated laundries/dry cleaning</td>
</tr>
<tr>
<td>Pet care</td>
</tr>
<tr>
<td>Automotive parking lots &amp; garages</td>
</tr>
<tr>
<td>Sector 92: Public Administration</td>
</tr>
<tr>
<td>---------------------------------</td>
</tr>
<tr>
<td>Executive, legislative, &amp; general govt.</td>
</tr>
<tr>
<td>Justice, public order &amp; safety</td>
</tr>
<tr>
<td>Courts</td>
</tr>
<tr>
<td>Police protection</td>
</tr>
<tr>
<td>Correctional institution</td>
</tr>
<tr>
<td>Fire protection</td>
</tr>
<tr>
<td>Administration of human resources</td>
</tr>
<tr>
<td>Ad. of environ, quality &amp; housing prog.</td>
</tr>
<tr>
<td>Administration of economic programs</td>
</tr>
<tr>
<td>Space research &amp; technology</td>
</tr>
<tr>
<td>National Security &amp; Internal Affairs</td>
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### Residential Uses

<table>
<thead>
<tr>
<th>Site built dwellings</th>
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<tbody>
<tr>
<td>Single-family detached</td>
<td>NA</td>
</tr>
<tr>
<td>Duplex</td>
<td>NA</td>
</tr>
<tr>
<td>Multi-family, apts. (section 30-109)</td>
<td>NA</td>
</tr>
<tr>
<td>Rooming &amp; boarding houses</td>
<td>72131</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Manufactured dwellings</th>
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</thead>
<tbody>
<tr>
<td>Residential designed (section 30-94)</td>
<td>NA</td>
</tr>
<tr>
<td>Standard designed (section 30-94)</td>
<td>NA</td>
</tr>
<tr>
<td>Mobile homes (section 30-95)</td>
<td>NA</td>
</tr>
<tr>
<td>Modular homes</td>
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</tr>
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<td>----------------------------</td>
<td>----</td>
</tr>
<tr>
<td><strong>Accessory Uses to Residential Uses</strong></td>
<td></td>
</tr>
<tr>
<td>Bathhouses &amp; cabanas</td>
<td>NA</td>
</tr>
<tr>
<td>Domestic animal shelters</td>
<td>NA</td>
</tr>
<tr>
<td>Non-commercial greenhouses</td>
<td>NA</td>
</tr>
<tr>
<td>Private garage &amp; carport</td>
<td>NA</td>
</tr>
<tr>
<td>Storage building</td>
<td>NA</td>
</tr>
<tr>
<td>Swimming pool, tennis courts</td>
<td>NA</td>
</tr>
<tr>
<td>Auxiliary shed, workshop</td>
<td>NA</td>
</tr>
<tr>
<td>Home occupation (section 30-98)</td>
<td>NA</td>
</tr>
<tr>
<td>Horticulture, gardening</td>
<td>NA</td>
</tr>
<tr>
<td>Family day care home</td>
<td>NA</td>
</tr>
<tr>
<td>Satellite dishes, etc.</td>
<td>NA</td>
</tr>
<tr>
<td>Buildings, structures</td>
<td>NA</td>
</tr>
<tr>
<td>Open storage (section 30-108)</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Temporary Uses**

| All temporary uses (section 30-99) | NA | C | C | C | C | C | C | C | C | None |

**Notes:**

1. Off street parking is not required in the B-4 district.

2. Any new use which includes outside sales of new or used household goods and other material goods and products which are akin to yard sales and flea markets for more than any two consecutive days within a 30-day period must obtain a certificate of zoning compliance. The Board of Zoning Appeals shall hear and deliberate such requests. The goods and products of such uses, whether permitted or allowed, must not be stored outside of the site's primary or secondary structure during non-business hours.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III. - CONDITIONAL USE REGULATIONS, Sec.30-111(6) (d) Mining and extraction operations; Shall be amended to read as follows:

**d. Mining and extraction operations:**

1. Refer to section 30-117- Mining and extraction operations.
Secs. 30-118–30-120. - Reserved

30-117 Mining and Extraction operations.

A mining or extraction operation must obtain a certificate of zoning compliance prior to such activities. Prior to the issuance of a certificate of zoning compliance, applicable mining related permits must be obtained from applicable state and federal agencies. Proof of such permits must be provided along with a zoning compliance application. The applicable state and federal permits shall have been issued within six (6) months of the date of the request for the County certificate. The application for the certificate of zoning compliance must include documentation to demonstrate compliance with the following requirements.

(1) Mines greater than five acres:

a. Shall be not less than five hundred feet (500') from the property line, shall not be less than two thousand feet (2,000') from the nearest residential use and obvious place where children congregate such as: schools, religious worship centers, playgrounds, and daycares, etc.

b. Shall have Bufferyards created and maintained in the locations prescribed for Industrial uses as identified in Sec. 30-121, Table VI. Regardless of the distance of the extraction site from the property line, bufferyards shall be created and maintained in compliance with the twenty-foot (20') bufferyard requirements of Type D bufferyards as identified in Sec. 30-121.

(2) Mines five acres or less:

a. Shall not be less than two hundred fifty feet (250') from the property line.

b. Shall be 1,000 feet from the nearest residential use and not less than 2,000 feet from an obvious place where children congregate such as: schools, playgrounds, and daycares, etc.

c. Shall have Bufferyards created and maintained in the locations prescribed for Industrial uses as identified in Sec. 30-121, Table VI. Regardless of the distance of the extraction site from the property line, bufferyards shall be created and maintained in compliance with the forty-foot (40') bufferyard requirements of Type D bufferyards as identified in Sec. 30-121.
(3) Mines regardless of size:

a. Hours of operation shall be Monday thru Friday 7:30 AM To 5:30 PM and Saturdays 8:30 AM – 12:00 PM, except County observed Holidays.

b. Where explosives are employed, the mine operator shall provide an action plan that has been approved by the fire marshal having jurisdiction and the Florence County Sheriff's Office. Explosive operation times shall be within the hours of 9:00 a.m. and 5:00 p.m. Monday—Friday excluding county observed holidays.

c. Site access.

   i. The site must have direct access to a major arterial road. Minor arterial road and Collector road access may be allowed only when direct access to a major arterial road is unreasonable and alternate access would not result in excessive traffic through populated areas and the road(s) is designed for heavy truck traffic. It shall be the burden of the developer/applicant to demonstrate compliance.

   ii. A truck route plan must be included in the submission for zoning compliance.

   iii. All private and/or public roads shall be kept wetted while being used or shall be hard-surfaced and maintained to prevent the emanation of dust.

   iv. Access from the site onto any public road shall not create the accumulation of debris such as dirt or gravel onto the roadway.

   v. Any sub-standard roads must be brought up to adequate standards before a certificate zoning compliance can be issued. A financial guarantee must be provided to ensure road repairs are made during and post mining activities. Cost estimates of road repairs must be provided by a duly licensed SC Engineer.

d. Height. No equipment shall exceed 38 feet in height above the lowest natural grade on the site regardless of zoned districts.

e. Fencing. A fencing plan shall be submitted with an application for zoning compliance for mines. In addition to fencing that may be required for bufferyard compliance, the following requirements must be met.

   i. A heavy-duty security fence of not less than six feet (6') shall encompass the extraction site, areas of possible unsafe conditions (such as above ground fuel tanks and stockpiles of materials) and places where unauthorized personnel are prohibited.

   ii. The fence shall not be less than fifty feet (50') from the extraction site and other required fenced areas.
iii. Entrances, gates and access points in the fence shall be lockable to prevent unauthorized entry during non-operational hours.

f. Identification:

i. Clearly legible signs shall be placed along the fence at intervals not to exceed three hundred feet (300’). The sign shall read, “NO TRESSPASSING - MINING ZONE” in letters not less than four inches (4”) in height. These signs shall also be placed at all entry/access points to the site.

ii. A sign shall be located at all entrances, gates and access points that provide the assigned E-911 Address, and the operators emergency contact name, address and phone number. The sign shall not be less than nine (9) square feet with letters and numbers not less than six inches (6”) in height.

g. Noise. Maximum noise at the property line shall not exceed 65 decibels measured at the property line.

h. Operations Plan. An operations plan shall identify the specific types of activities that are necessary for successful operation of the use, specific technologies that will be incorporated into the use, potential impacts on adjacent lands and mitigation measures, the size of the operation, the number of employees, and the operating hours of the use.

i. Exemptions for certain uses pertaining to mining operations. Excavation or grading activities solely for onsite construction, or land development whereas the extracted materials will not be removed from the site, and agricultural irrigation ponds five (5) acres or less and drainage conveyances shall be exempt from the mining requirements of the Zoning Ordinance if the use complies with all of the following conditions:

i. The mining operation shall be limited to one year. If such work exceeds one year, a new certificate of zoning compliance must be obtained.

ii. The mining operation shall not be located within 50 feet of any property boundary and/or within 250 feet of any Building intended for human occupancy existing at the time of zoning compliance application.

iii. No more than one mining use shall be permitted on the same property within one year from the date of zoning compliance approval for a previous mining use.

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 provision of this Ordinance are severable.

ATTEST:

____________________________________
Hope M. Jones, Council Clerk

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

SIGNED:

____________________________________
Willard Dorriety, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:
AGENDA ITEM:  Ordinance No. 27-2023/24 Third Reading

DEPARTMENT:  Economic Development

ISSUE UNDER CONSIDERATION:
[An Ordinance To Declare Approximately 15.12 Acres More Or Less As Surplus Property Located On North Koppers Road, Florence, South Carolina Identified By Tax Map Number 00176-01-013 And To Authorize The Sale Of Said Approximately 15.12 Acres More Or Less Located On North Koppers Road, Florence, South Carolina In The Amount Of One Hundred Eighty-One Thousand And Four Hundred Forty Dollars ($181,440) To Russell Poston, And Other Matters Relating Thereto.]

POINTS TO CONSIDER:
1. Florence County owns the property located on Koppers Road, Florence SC, TMP#00176-01-013, which is comprised of approximately 621.83 acres.
2. A 15.12 acre portion of the property is considered surplus property and no longer essential to the operations of the County, and the County has no future plans for the property.
3. S.C. Code 4-9-130, as amended requires that any sale or lease or contract to sell or lease real property owned by the County be approved by a public hearing and adoption of an Ordinance.

OPTIONS:
1. (Recommend) Approve as presented.
2. Provide an alternate directive.

ATTACHMENTS:
2. A copy of the Plat.
AN ORDINANCE TO DECLARE APPROXIMATELY 15.12 ACRES MORE OR LESS AS SURPLUS PROPERTY LOCATED ON NORTH KOPPERS ROAD, FLORENCE, SOUTH CAROLINA IDENTIFIED BY TAX MAP NUMBER 00176-01-013 AND TO AUTHORIZE THE SALE OF SAID APPROXIMATELY 15.12 ACRES MORE OR LESS LOCATED ON NORTH KOPPERS ROAD, FLORENCE, SOUTH CAROLINA IN THE AMOUNT OF ONE HUNDRED EIGHTY-ONE THOUSAND AND FOUR HUNDRED FORTY DOLLARS ($181,440) TO RUSSELL POSTON, AND OTHER MATTERS RELATING THERETO.

WHEREAS:

1. Florence County owns property located on Koppers Road, Florence, SC, TMP# 00176-01-013, which is comprised of approximately 621.83 acres; and

2. A 15.12 Acre Portion of the property is considered surplus property and no longer essential to the operations of the County, and the County has no future plans for the property; and

3. S.C. Code Ann. §4-9-130, as amended, requires that any sale or lease or contract to sell or lease real property owned by the County be approved by a public hearing and adoption of an Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of Florence County, the Florence County Council in a meeting duly assembled that:

Section 1. Florence County owns TMP # 00176-01-013 located on Koppers Road, Florence, SC.

Section 2. Florence County will separate out 15.12 Acres from TMP # 00176-01-013 as shown on a Plat prepared by Michael W. Todd II, for the sale of the 15.12 Acres to Russell Poston for One Hundred Eighty-One Thousand and Four Hundred Forty Dollars ($181,440). Florence County will retain a sixty (60) foot easement on the southeast boundary of the 15.12 acres running from North Koppers Road to the other property of Florence County.
**Section 3.** All provisions in other County Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.

**Section 4.** If any provision of this Ordinance or the application thereof to any person or circumstances 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:  
Hope M. Jones, Council Clerk

SIGNED:  
Willard Dorriety, Jr., Chairman

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

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

(SUBDIVISION)

OF 15.12 ACRES LOCATED 4-1/2 MI WEST OF THE INTERSECTION OF NORTH KOPPERS ROAD AND ESTATE ROAD ALONG NORTH KOPPERS ROAD IN THE CITY OF FLORENCE IN FLORENCE COUNTY, SOUTH CAROLINA. PROPERTY SURVEYED IS A PORTION OF TM#00176-01-013 SHOWN IN DEED BOOK 1032@211. PROPERTY SURVEYED AT THE REQUEST OF:

RUSSELL W. POSTON

MICHAEL W. TOOMES
730 HEARD ROAD
PMB 954, 29583
(843) 854-1991

PLT NO. 26416

JOB: P-063-23

FLORENCE COUNTY
STATE OF SOUTH CAROLINA
DATE: NOVEMBER 14, 2023
GRAPHIC SCALE: 1" = 200'FT
AGENDA ITEM: Ordinance No. 28-2023/24 Third Reading

DEPARTMENT: Economic Development

ISSUE UNDER CONSIDERATION:
An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, An Amendment To That Certain Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Florence County, South Carolina And AESC US LLC; And To Enter Into A Manufacturing Site Ground Lease Agreement Authorizing The Demise And Lease Of Certain Real Property To The Sponsor; And Addressing Other Related Matters.

POINTS TO CONSIDER:
1. Pursuant to the provisions of Title 12, Chapter 44 (the “FILOT Act”); Title 4, Chapter 1, and Title 4, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended (collectively, the “Act”) and Article VIII, Section 13 of the South Carolina Constitution (collectively, with Title 4, Chapters 1 and 29, the “MCIP Act”), Florence County, South Carolina (the “County”) and AESC US LLC (f/k/a Envision AESC US LLC) entered into a Fee-in-Lieu of Ad Valorem Taxes and Special Source Revenue Credit Agreement dated January 4, 2024 (the “Fee Agreement”).

2. Pursuant to that Assignment and Assumption of Fee Agreement dated effective December 31, 2023, by and between AESC US, LLC, and AESC Florence, LLC (f/k/a Envision AESC Florence, LLC) (the “Assignment”), AESC US, LLC assigned all of its rights and interests to and under the Fee Agreement to AESC Florence, LLC.

3. The fee agreement provides for the payment of fees in lieu of ad valorem taxes and the application of special source revenue credits with respect to the Company’s investment in the County.

4. In connection with the Fee Agreement AESC Florence, LLC, along with one or more subsidiaries, affiliates, or related entities (collectively, with AESC Florence, LLC, the “Company”) has committed to make a capital investment in real and personal property in the County of approximately $810,000,000 and create approximately 1,170 new, full-time jobs.

5. The Company now desires to expand its manufacturing facilities within the County by committing to an additional capital investment of approximately $810,000,000, for an approximate total of $1,620,000,000 in capital investment in the County, and an additional 450 new, full-time jobs, for an approximate total of 1,620 jobs in the County (the “Expansion”).
6. Due to the Company’s commitments, the County and Company now wish to amend the Fee Agreement to provide for the issuance of certain special source revenue credits (“SSRCs”) with respect to the Expansion.

7. Pursuant to the authority of the MCIP Act, the County intends to cause the Expansion, to the extend not already therein located, to be placed in the multicounty industrial or business park governed by the Master Agreement for the Establishment of the Florence City-County Industrial Park between the County and Marion County, South Carolina.

8. The Company has caused to be prepared and presented to this meeting a First Amendment to Fee Agreement that is in form and substance agreeable to the County, the form of which is attached hereto as Exhibit A.

**OPTIONS:**

1. *(Recommend)* approve as presented.
2. Provide an alternate directive.

**ATTACHMENTS:**

1. A copy of the proposed third reading of Ordinance No. 28-2023/24.
2. A copy of the First Amendment Fee Agreement.
ORDINANCE NO. 28-2023/24

AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AN AMENDMENT TO THAT CERTAIN FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN FLORENCE COUNTY, SOUTH CAROLINA AND AESC US, LLC; AND TO ENTER INTO A MANUFACTURING SITE GROUND LEASE AGREEMENT AUTHORIZING THE DEMISE AND LEASE OF CERTAIN REAL PROPERTY TO THE SPONSOR; AND ADDRESSING OTHER RELATED MATTERS.

WHEREAS:

1. Pursuant to the provisions of Title 12, Chapter 44 (the “FILOT Act”); Title 4, Chapter 1, and Title 4, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended (collectively, the “Act”) and Article VIII, Section 13 of the South Carolina Constitution (collectively, with Title 4, Chapters 1 and 29, the “MCIP Act”), Florence County, South Carolina (the “County”) and AESC US, LLC (f/k/a Envision AESC US LLC) entered into a Fee-in-Lieu of Ad Valorem Taxes Agreement and Special Source Revenue Credit Agreement dated January 3, 2023 (the “Fee Agreement”); and

2. Pursuant to that Assignment and Assumption of Fee Agreement dated effective December 31, 2023, by and between AESC US, LLC, and AESC Florence, LLC (f/k/a Envision AESC Florence, LLC) (the “Assignment”), AESC US, LLC assigned all of its rights and interests to and under the Fee Agreement to AESC Florence, LLC; and

3. The Fee Agreement provides for the payment of fees in lieu of ad valorem taxes and the application of special source revenue credits with respect to the Company’s investment in the County; and

4. In connection with the Fee Agreement AESC Florence, LLC, along with one or more subsidiaries, affiliates, or related entities (collectively, with AESC Florence, LLC, the “Company”) has committed to make a capital investment in real and personal property in the County of approximately $810,000,000 and create approximately 1,170 new, full-time jobs; and

5. The Company now desires to expand its manufacturing facilities within the County by committing to an additional capital investment of approximately $810,000,000, for an approximate total of $1,620,000,000 in capital investment in the County, and an additional
450 new, full-time jobs, for an approximate total of 1,620 jobs in the County (the “Expansion”); and

6. Due to the Company’s commitments, the County and Company now wish to amend the Fee Agreement to provide for the issuance of certain special source revenue credits (“SSRCs”) with respect to the Expansion; and

7. Pursuant to the authority of the MCIP Act, the County intends to cause the Expansion, to the extend not already therein located, to be placed in the multicounty industrial or business park governed by the Master Agreement for the Establishment of the Florence City-County Industrial Park between the County and Marion County, South Carolina; and

8. The Company has caused to be prepared and presented to this meeting a First Amendment to Fee Agreement that is in form and substance agreeable to the County, the form of which is attached hereto as Exhibit A; and

9. Pursuant to the Incentive Agreement between AESC US, LLC and the County (the “Incentive Agreement”) the County and the Company desire to lease the Project Land (as defined in the Incentive Agreement) to the Company for its use in connection with the Project (as defined in the Incentive Agreement) and the Expansion, subject to the terms and conditions set forth in the Manufacturing Site Ground Lease Agreement, the form of which is attached as Exhibit B (the “GLA”);

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of Florence County, the Florence County Council, in meeting duly assembled, as follows:

Section 1. The County hereby finds and affirms, based on information provided by the Company: (i) the Project will benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; (ii) the Project gives rise to no pecuniary liability of the County or any incorporated municipality and to no charge against its general credit or taxing power; (iii) the purposes to be accomplished by the Project are proper governmental and public purposes; and (iv) the benefits of the Project to the public are greater than the costs to the public; and (v) the Project will provide a substantial public benefit to the County.

Section 2. The First Amendment to Fee Agreement attached hereto as Exhibit A is hereby approved in the form presented to this meeting, together with such changes that do not have a material adverse effect upon the County and as such changes may be approved by the County Administrator. The Chairman of County Council is hereby authorized and directed to execute and deliver the First Amendment to Fee Agreement to the Company and to take any and all such actions as may be necessary to cause the County to comply with its obligations thereunder.

Section 3. The form, terms, and provisions of the GLA attached hereto as Exhibit B presented to this meeting and filed with the Clerk to County Council are hereby approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the GLA was set out in this Ordinance in its entirety. The Chairman of County Council is hereby
authorized and directed to execute and deliver the GLA and to take any and all such actions as may be necessary to cause the County to comply with its obligations thereunder, including but not limited to leasing the property as contemplated therein. Further, the County’s prior acquisition of the property being leased pursuant to the GLA is hereby ratified and approved in all respects. The GLA is approved in the form presented to County Council, together with any changes not materially adverse to the County, as determined by the County Administrator and County Attorney.

Section 4. The County hereby acknowledges receipt of notice of the Assignment pursuant to Section 8.5 of the Fee Agreement.

Section 5. The provisions of this Ordinance are hereby declared to be separable, and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

Section 6. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 7. This Ordinance shall take effect and be in full force from and after its passage by the County Council.

BE IT RESOLVED this ______ day of _____________, 2024

FLORENCE COUNTY, SOUTH CAROLINA

(SEAL)

Signature: ____________________________  
Name: ________________________________  
Title: Chairman of County Council

ATTEST:

Signature: ____________________________  
Name: Connie Haselden  
Title: Clerk to County Council

APPROVED AS TO FORM AND CONTENT:

____________________________________  
D. Malloy McEachin, Jr., County Attorney
EXHIBIT A

FIRST AMENDMENT TO FEE AGREEMENT
FIRST AMENDMENT TO FEE AGREEMENT

This First Amendment (the “Amendment”) to the Fee-in-Lieu of Ad Valorem Taxes and Special Source Revenue Credit Agreement (the “Fee Agreement”) by and between FLORENCE COUNTY, SOUTH CAROLINA (the “County”), and AESC FLORENCE, LLC (the “Sponsor”), is made and entered into this ____ day of ______________, 2024.

WITNESSETH:

WHEREAS, the County, acting by and through its County Council (the “County Council”), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended (the “Act”) to enter into a fee agreement with companies meeting the requirements of the Act; and

WHEREAS, pursuant to the Act, and in order to induce certain investments in the County, the County entered into a Fee-in-Lieu of Ad Valorem Taxes and Special Source Revenue Credit Agreement with AESC US, LLC (f/k/a Envision AESC US LLC) dated as of January 3, 2023, providing for a fee-in-lieu of tax (“FILOT”) incentive (the “Fee Agreement”); and

WHEREAS, AESC US, LLC assigned all of its interests in the Fee Agreement to AESC Florence, LLC [effective December 31, 2023]; and

WHEREAS, the Fee Agreement provides for the payment of fees in lieu of ad valorem taxes and the application of special source revenue credits with respect to the Company’s investment in the County; and

WHEREAS, the Sponsor, together with its Sponsor Affiliates, is considering an additional investment of approximately $810,000,000 and the creation of 450 new, full-time jobs in the County (the “Expansion”); and

WHEREAS, the Sponsor has requested that the Fee Agreement be amended to provide for the issuance of certain special source revenue credits (“SSRCs”) with respect to the Expansion; and

WHEREAS, pursuant to an Ordinance of the County Council of even date herewith, the County Council has approved the execution of this Amendment.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and the Sponsor agree as follows:

1. Section 1.1 of the Fee Agreement is hereby amended to add the definitions of “Part III SSRC Contract Minimum Investment Requirement” and “Part III SSRC Contract Minimum Jobs Requirement” as follows:
“Part III SSRC Contract Minimum Investment Requirement” shall mean an investment of at least $810,000,000 in property subject to ad valorem taxation (in the absence of this Fee Agreement and/or the Industrial Development Park) (over and above the Contract Minimum Investment Requirement of $810,000,000) by the Sponsor and Sponsor Affiliates within the Investment Period.”

“Part III SSRC Contract Minimum Jobs Requirement” shall mean the creation of at least 450 new, full time jobs within the Investment Period (over and above the Contract Minimum Jobs Requirement of 1,170 new, full time jobs) by the Sponsor and/or Sponsor Affiliates.”

2. (a) Exhibit C of the Fee Agreement is amended to add the following language immediately after the second paragraph thereof (which describes the “Part II SSRCs”):

All assets constituting Economic Development Property in excess of the Contract Minimum Investment Requirement and placed in service on or before the last day of the Investment Period shall be reported on a separate Schedule S to the Company’s annual PT-300 filing (or successor form), designated as “2024 Part III SSRC Assets” and shall be eligible for Infrastructure Credits (the “Part III SSRCs”) in the amount of 75% of the FILOT Payments for property tax years 2028-2030; 65% of the FILOT Payments for property tax years 2031-2037; 55% of the FILOT Payments for property tax years 2038-2047; and 45% of the FILOT payment for property tax years 2048-2067. The Sponsor may also make an election to commence the Part III SSRCs in an earlier property tax year, in which case the above property tax years would all be adjusted accordingly, provided the Sponsor must provide written notice of such election to the County Auditor, Finance Director, Assessor, and Treasurer on or before June 30 of the property tax year in which it elects to commence the Part III SSRCs.

(a) Exhibit C of the Fee Agreement is further amended by adding the word “and” after the words “In addition, the Sponsor” in the second paragraph of Exhibit C.

3. Exhibit E of the Fee Agreement is hereby added to contain the language set forth in Exhibit E attached hereto.

4. Except as amended hereby, the Fee Agreement shall otherwise remain in full force and effect.

5. This Amendment to Fee Agreement may be executed in counterparts, each of which taken together shall constitute one and the same instrument. Electronic or PDF signatures shall be considered effective as original signatures.

(Signature Page Follows)
IN WITNESS WHEREOF, FLORENCE COUNTY, SOUTH CAROLINA AND AESC FLORENCE, LLC, each pursuant to due authority, have executed this Amendment as of the date first written above.

FLORENCE COUNTY, SOUTH CAROLINA

Signature: ______________________________
Name: ______________________________
Title: Chairman of County Council

ATTEST:

Signature: ______________________________
Name: Hope M. Jones
Title: Clerk to Florence County Council

APPROVED AS TO FORM AND CONTENT:

______________________________
D. Malloy McEachin, Jr., County Attorney
EXHIBIT E
DESCRIPTION OF CLAW BACK (PART III SSRCs)

The Sponsor agrees to meet and maintain, together with any Sponsor Affiliates, the Part III SSRC Contract Minimum Investment Requirement and the Part III SSRC Contract Minimum Job Requirement, by and as of the end of the Investment Period and for a period of five years thereafter.

If the Sponsor (together with any Sponsor Affiliates) fails to meet and maintain the Part III Contract Minimum Investment Requirement or the Part III Contract Minimum Job Requirement as of the end of the Investment Period and for a period of five years thereafter, the Sponsor shall make a payment to the County equal to the Repayment Amount as follows:

\[
\text{Repayment Amount} = \text{Total Part III SSRCs Received} \times \text{Claw Back Percentage}
\]

**Total Received** shall be the total dollar amount of the Part III SSRCs received by the Sponsor (and any Sponsor Affiliates), but shall not include the total dollar amount of the savings received as a result of the reduced assessment ratio and fixed millage rate as described in Section 4.1 hereof. For the avoidance of doubt, the Claw Back provisions of Exhibit D shall only apply to the Part I SSRCs and Part II SSRCs.

**Part III SSRC Claw Back Percentage = 100% - Overall Achievement Percentage**

\[
\text{Overall Achievement Percentage} = \frac{\text{Investment Achievement Percentage} + \text{Jobs Achievement Percentage}}{2}
\]

**Investment Achievement Percentage = Actual Investment Achieved and Maintained (over and above initial Contract Minimum Investment Requirement) / Part III SSRC Contract Minimum Investment Requirement [may not exceed 100%]**

**Jobs Achievement Percentage = Actual New, Full-Time Jobs Created and Maintained (over and above initial Contract Minimum Jobs Requirement) / Part III SSRC Contract Minimum Jobs Requirement [may not exceed 100%]**

In calculating each achievement percentage, only the investment made or new jobs achieved up to the Part III SSRC Contract Minimum Investment Requirement and the Part III SSRC Contract Minimum Jobs Requirement will be counted.

*For example, and by way of example only, if the County granted $10,000,000 in Part III SSRCs, and $700,000,000 had been invested at the Project (over and above the initial Contract Minimum Investment Requirement) and 350 jobs had been achieved and maintained as of the last day of the Investment Period (over and above the initial Contract Minimum Jobs Requirement), the Part III SSRC Clawback Payment would be calculated as follows:

\[
\text{Jobs Achievement Percentage} = 350 / 450 = 77.78%
\]

\[
\text{Investment Achievement Percentage} = \frac{700,000,000}{810,000,000} = 86.42%
\]
$Overall\ Achievement\ Percentage = \frac{(86.42\% + 77.78\%)}{2} = 82.1\%$

$Part\ III\ SSRC\ Claw\ Back\ Percentage = 100\% - 82.1\% = 17.9\%$

$Repayment\ Amount = 10,000,000 \times 17.9\% = 1,790,000$

The measuring periods shall be as follows: first, the period from the Commencement Date through the last day of the Investment Period; and second, after the end of the Investment Period, the 12-month period preceding each anniversary of the end of the Investment Period.

Further, any remaining Part III SSRCs will be reduced by the Part III SSRC Claw Back Percentage for all remaining years. Provided, however, that either the Company or the County may request a redetermination of the Part III SSRC Claw Back Percentage in any future year, to be effective beginning with the year of the redetermination, in the event of a change in the Overall Achievement Percentage of more than 10% (meaning the Overall Achievement Percentage as of the last day of any subsequent property tax year is more than 10% lower or more than 10% higher than the Overall Achievement Percentage as of the later of (a) the last day of the Investment Period, or (b) any date on which the Overall Achievement Percentage has previously been redetermined pursuant to the terms of this paragraph (as the Overall Achievement Percentage is defined in this Exhibit E).

The Sponsor shall pay any amounts described in or calculated pursuant to this Exhibit E within 60 days of receipt of a written statement from the County. If not timely paid by the Sponsor, the amount due is subject to the minimum amount of interest that the law may permit with respect to delinquent ad valorem tax payments. The repayment obligation described in this Exhibit E survives termination of this Fee Agreement.
EXHIBIT B

GROUND LEASE AGREEMENT

[to be provided]
AGENDA ITEM: Ordinance No. 29-2023/24
   Introduction

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance To Change The Zoning Designation For Property Of Tax Map Number 60003, Block 01, Parcel 005 Located At 211 S. Walnut Street Pamplico, SC From R-1 Single Family Residential District To B-3 General Commercial District; And Other Matters Related Thereto.] (Planning Commission Approved 5 to 0; Council District 2)

POINTS TO CONSIDER:
1. This map amendment was requested by David Marshall Munn.

2. The subject property is currently split zoned R-1 Single Family Residential and B-3 General Commercial with the current use being residential.

3. Surrounding land uses consist of residential and commercial.

OPTIONS:
1. (Recommended) Approve As Presented.
2. Provide An Alternate Direction.

ATTACHMENTS:
1. Ordinance No. 29-2023/24
2. Staff report for PC#2023-39
3. Location Map
4. Zoning Map
5. Aerial Map
ORDINANCE NO. 29-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Change The Zoning Designation For Property Of Tax Map Number 60003, Block 01, Parcel 005 Located At 211 S. Walnut Street Pamplico, SC From R-1 Single Family Residential District To B-3 General Commercial District; And Other Matters Related Thereto.]

WHEREAS:

1. This map amendment was requested by David Marshall Munn; and

2. The subject property is currently split zoned R-1 Single Family Residential and B-3 General Commercial with the current use being residential; and,

3. Surrounding land uses consist of residential and commercial.

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

1. A Portion Of Property Located At 211 South Walnut Street, Pamplico, SC As Shown On Florence County Tax Maps As: 60003-01-005; Is Hereby Rezoned From R-1 Single Family Residential And B-3 General Commercial To B-3 General Commercial.

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:

_____________________________ _____________________
Hope M. Jones, Council Clerk Willard Dorriety, Jr., Chairman

COUNCIL VOTE:

____________________________ OPPOSED:
D. Malloy McEachin, Jr., County Attorney
Map Amendment Request By David Marshall Munn To Change The Zoning Designation For Property Of Tax Map Number 60003, Block 01, Parcel 005 Located At 2119 S. Walnut Street Pamplico, SC From R-1 Single Family Residential District To B-3 General Commercial District.

South Walnut Street

60003, Block 01, Parcel 005

2; County Council

David Marshall Munn

David Marshall Munn

R-1, B-3/Approximately 2.35 acres

Water/Sewer Availability

N/A

N/A

R-1/ B-3

1. Existing Land Use and Zoning:
The subject property is currently residential and zoned R-1 Single Family Residential and B-3 General Commercial.

2. Proposed Land Use and Zoning:
The proposal is to rezoned a portion of the property to B-3 General Commercial.

3. Surrounding Land Use and Zoning:
North: Florence County/Commercial, Residential/R-1, B-3
South: Florence County/Residential/R-1, B-3
West: Florence County/Residential/R-1
4. **Transportation Access and Circulation:**
   Present access to the property is by the way of W. Second Ave and S. Walnut St. in Pamplico, SC.

5. **Traffic Review:**
   The rezoning of this property from a residential use to a commercial use may have an impact on traffic flow.

6. **Florence County Comprehensive Plan:**
   The future land use designation for the property is currently Urban Development. The requested rezoning of the property is compatible with the designated future land use.

**FLORENCE COUNTY COUNCIL MEETING:**
This item is scheduled on the agenda on Thursday, January 18, 2024 @ 9:00 a.m. in room 803 of the County Complex, 180 North Irby Street, Florence.

**FLORENCE COUNTY PLANNING COMMISSION ACTION DECEMBER 19, 2023:**
Five Commission members voted 5 to 0 to approve the requested map amendment request.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**
Florence County Planning Commission recommends approval of the requested map amendment request to the Florence County Council to amend a portion of the zoning designation for the referenced parcel from R-1 Single Family Residential to B-3 General Commercial.
AGENDA ITEM: Ordinance No. 30-2023/24
   Introduction

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance To Change The Zoning Designation For Property Of Tax Map Number 00053, Block 04, Parcel 030 Located At The Intersection Of W. Palmetto Street And Alligator Road Florence, SC From Unzoned To Planned Development District, Designated As (PD-23-2); And Other Matters Related Thereto.] (Planning Commission Approved 4 to 1; Council District 4)

POINTS TO CONSIDER:
1. This map amendment was requested by Hugh Wilcox.
2. The subject property is currently vacant and unzoned.
3. Surrounding land uses consist of vacant, residential and commercial.

OPTIONS:
1. (Recommended) Approve As Presented.
2. Provide An Alternate Direction.

ATTACHMENTS:
1. Ordinance No. 30-2023/24
2. Staff report for PC#2023-40
3. Location Map
4. Zoning Map
5. Aerial Map
6. Sketch Plan
COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Change The Zoning Designation For Property Of Tax Map Number 00053, Block 04, Parcel 030 Located At The Intersection Of W. Palmetto Street And Alligator Road Florence, SC From Unzoned To Planned Development District, Designated As (PD-23-2); And Other Matters Related Thereto.]

WHEREAS:

1. This map amendment was requested by Hugh Wilcox; and

2. The subject property is currently vacant and unzoned; and,

3. Surrounding land uses consist of vacant, residential and commercial.

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

1. Property Located at the intersection of W. Palmetto and Alligator Road As Shown On Florence County Tax Maps As: 00053-04-030; Is Hereby Rezoned From Unzoned To Planned Development District Designated as (PD-23-2).

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:

_____________________________ _____________________
Hope M. Jones, Council Clerk Willard Dorriety, Jr., Chairman

COUNCIL VOTE:

____________________________ OPPOSED:
Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney
STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
Tuesday, December 19, 2023
PC#2023-40

SUBJECT: Map Amendment Requested By Hugh Wilcox To Change The Zoning Designation For Property Of Tax Map Number 00053, Block 04, Parcel 030 Located At The Intersection Of W. Palmetto Street And Alligator Road Florence, SC From Unzoned To Planned Development District, Designated As (PD-23-2).

LOCATION: Intersection of W. Palmetto St. and Alligator Rd.

TAX MAP NUMBERS: 00053, Block 04, Parcel 030

COUNCIL DISTRICT(S): 4; County Council

OWNER OF RECORD: Palmetto Property Development Group LLC

APPLICANT: Hugh Wilcox

ZONING/LAND AREA: Unzoned/Approximately 53.65 acres

WATER/SEWER AVAILABILITY: City of Florence

ADJACENT WATERWAYS/ BODIES OF WATER: None

FLOOD ZONE: Zone X

PARCEL ZONING DESIGNATIONS: Unzoned

STAFF ANALYSIS:

1. Existing Land Use and Zoning:
The subject property is currently vacant and unzoned.

2. Proposed Land Use and Zoning:
The proposal is to rezone the subject property to Planned Development.

3. Surrounding Land Use and Zoning:
   North: Florence County/ Vacant, Commercial/ Unzoned
   South: Florence County/ Vacant, Commercial/ Unzoned
   West: Florence County/Vacant, Commercial, Residential/ Unzoned
   East: Florence County/ Vacant, Residential / Unzoned
4. **Transportation Access and Circulation:**
   Present access to the property is by the way of W. Palmetto Street and Alligator Road in Florence, SC.

5. **Traffic Review:**
   The rezoning of this property from unzoned to a Planned Development use may have an impact on traffic flow.

6. **Florence County Comprehensive Plan:**
   The future land use designation for the property is currently Variable Development District 1. The requested rezoning of the property is compatible with the designated future land use.

**FLORENCE COUNTY COUNCIL MEETING:**
This item is scheduled on the agenda on Thursday, January 18, 2024 @ 9:00 a.m. in room 803 of the County Complex, 180 North Irby Street, Florence.

**FLORENCE COUNTY PLANNING COMMISSION ACTION DECEMBER 19, 2023:**
Five Commission members voted 4 to 1 to approve the requested map amendment request. Commissioner Doris Lockhart was opposed to the request map amendment.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**
Florence County Planning Commission recommends approval of the requested map amendment request to the Florence County Council to change the zoning designation for the referenced parcel from Unzoned to Planned Development District Designated as (PD-23-2).
AGENDA ITEM: Ordinance No. 31-2023/24
   Introduction

DEPARTMENT: Planning

ISSUE UNDER CONSIDERATION:
[An Ordinance To Amend An Existing Planned Development, Designated As (PD-19-1), Located At The Intersection Of Quartz Lane And Dunton Drive, Florence; And Other Matters Related Thereto.] (Planning Commission Approved 5 to 0; Council District 6)

POINTS TO CONSIDER:
1. This map amendment was requested by Palmetto Corp (Shawn Godwin).
2. The subject property is currently zoned Planned Development (PD-19-1).
3. Surrounding land uses consist of vacant, residential and commercial.
4. The request to amend the current Planned Development is to replace previously approved commercial use with single family residential.

OPTIONS:
1. (Recommended) Approve As Presented.
2. Provide An Alternate Direction.

ATTACHMENTS:
1. Ordinance No. 31-2023/24
2. Staff report for PC#2023-41
3. Location Map
4. Zoning Map
5. Aerial Map
6. Sketch Plan
ORDINANCE NO. 31-2023/24

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend An Existing Planned Development, Designated As (PD-19-1), Located At The Intersection Of Quartz Lane And Dunton Drive, Florence); And Other Matters Related Thereto.]

WHEREAS:

1. This map amendment was requested by Palmetto Corp (Shawn Godwin); and
2. The subject property is currently zoned Planned Development (PD-19-1); and
3. Surrounding land uses consist of vacant, residential and commercial; and,
4. The request to amend the current Planned Development is to replace previously approved commercial use with single family residential.

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

1. Property Located at the intersection of Quartz Lane and Dunton Drive, Florence, SC, Consisting Of Approximately 17.75 Acres Be Amended To Reflect The Proposed Changes To An Existing Planned Development District PD-19-1.

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:

____________________________  _______________________
Hope M. Jones, Council Clerk  Willard Dorriety, Jr., Chairman

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

COUNCIL VOTE:

____________________________  _______________________
APPROVED:  ABSENT:

D. Malloy McEachin, Jr., County Attorney
SUBJECT: Map Amendment Requested By Palmetto Corp (Shawn Godwin) To Amend An Existing Planned Development, Designated As (PD-19-1), Located At The Intersection Of Quartz Lane And Dunton Drive, Florence.

LOCATION: Intersection of Quartz Lane and Dunton Drive, Florence, SC

PD NUMBER: PD-19-1

COUNCIL DISTRICT(S): 6; County Council

OWNER OF RECORD: Palmetto Properties of Conway, LLC

APPLICANT: Palmetto Corp (Shawn Godwin)

LAND AREA: Approximately 17.75 acres

WATER /SEWER AVAILABILITY: City of Florence

ADJACENT WATERWAYS/ BODIES OF WATER: Unnamed Body of Water

FLOOD ZONE: Flood Zone X

STAFF ANALYSIS:
1. Existing Land Use and Zoning:
The subject property is currently vacant and zoned Planned Development.

2. Proposed Land Use and Zoning:
The proposal is to amend the current Planned Development to replace the commercial use with single family residential.

3. Surrounding Land Use and Zoning:
   North: Florence County/Vacant, Commercial/ Unzoned
   South: Florence County/ Residential/ PD
   West: Florence County/ Vacant/ PD
   East: Florence County/ Vacant / Unzoned

4. Transportation Access and Circulation:
   Present access to the property is by way of Quartz Lane (through previously approved PD) and Dunton Drive, Florence.
5. Traffic Review:
The proposed alterations could have an affect on traffic flow.

**FLORENCE COUNTY COUNCIL MEETING:**
This item is scheduled on the agenda on Thursday, January 18, 2024 @ 9:00 a.m. in room 803 of the County Complex, 180 North Irby Street, Florence.

**FLORENCE COUNTY PLANNING COMMISSION ACTION DECEMBER 19, 2023:**
Five Commission members voted 5 to 0 to approve the requested Planned Development Amendment request.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**
Florence County Planning Commission recommends approval of the requested Planned Development Amendment request to the Florence County Council to amend an existing Planned Development Designated as (PD-19-1).
**JOANNA DRIVE**
**50' WIDE RIGHT OF WAY**

**DESCRIPTION**
SIDE: 5 FEET
REAR: 15 FEET

**BUILDING SETBACKS**
STANDARDS
ALL ROADS SHALL BE OWNED AND MAINTAINED BY THE CITY OF FLORENCE.
WATER LINES SHALL BE OWNED AND MAINTAINED BY THE CITY OF FLORENCE.
PARKING: RESIDENTIAL LOTS SHALL HAVE TWO PARKING SPACES.
SIGNAGE SHALL BE IN ACCORDANCE WITH SCDOT AND FLORENCE COUNTY REQUIREMENTS.
ALL ROADS TO CONFORM TO COUNTY AND STATE DESIGN STANDARDS.

**CONSTRUCTION DETAILS**

**FLORENCE RESIDENTIAL LOTS**

**NOT FOR CONSTRUCTION**

**PRELIMINARY PLANNING AND DESIGN CONSULTANTS**

**www.earthworksgroup.com**

**(FAX) 843.651.7903**

**843.651.7900**

**FREEDOM BLVD**

**CONWAY, SC. 29528**

**CONSTRUCTION PLANNING SERVICES**

**ERTHWORKS**
AGENDA ITEM: Ordinance No.32-2023/24 Introduction

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
An Ordinance To Declare Approximately 0.48 Acres Surplus Property Located On East Main Street, Timmonsville, South Carolina Identified By TMP#70012-20-027 And Authorize The Sale Of Approximately 0.48 Acres Located On East Main Street, Timmonsville, South Carolina, To The Timmonsville Rescue Squad In The Amount Of Five Dollars ($5.00); And Other Matters Relating Thereto.

ATTACHMENTS:
A copy of the Ordinance No. 32-2023/24 By Title Only.
ORDINANCE NO. 32-2023/24 BY TITLE ONLY

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY
[An Ordinance To Declare Approximately 0.48 Acres Surplus Property Located On East Main Street, Timmonsville, South Carolina Identified by TMP #70012-20-027 And Authorize The Sale Of Approximately 0.48 Acres Located On East Main Street, Timmonsville, South Carolina, To The Timmonsville Rescue Squad In The Amount Of Five Dollars ($5.00); And Other Matters Relating Thereto.]
AGENDA ITEM: Ordinance No.33-2023/24 Introduction

DEPARTMENT: Economic Development

ISSUE UNDER CONSIDERATION:
An Ordinance To Declare Approximately 14.43 Acres Surplus Property Located On North Willison Road, Florence, South Carolina Identified As Being A Portion Of Tax Map Number 00240-01-007 And Authorize The Sale Of Approximately 14.43 Acres More Or Less Located On North Williston Road, Florence, South Carolina, In The Amount Of Five Dollars ($5.00) And Other Valuable Consideration To South Carolina Board For Technical & Comprehensive Education, And Other Matters Relating Thereto.

ATTACHMENTS:
A copy of the Ordinance No. 33-2023/24 By Title Only.
ORDINANCE NO. 33-2023/24 BY TITLE ONLY

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY
[An Ordinance To Declare Approximately 14.43 Acres More Or Less As Surplus Property Located On North Williston Road, Florence, South Carolina Identified As Being A Portion Of Tax Map Number 00240-01-007 And To Authorize The Sale Of Said Approximately 14.43 Acres More Or Less Located On North Williston Road, Florence, South Carolina In The Amount Of Five Dollars ($5.00) And Other Valuable Consideration To The South Carolina Board For Technical & Comprehensive Education, And Other Matters Relating Thereto.]
AGENDA ITEM: Boards & Commissions
Council District 5

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Council Is Requested To Approve The Appointment And Reappointment Of The Individuals To Serve On The Boards & Commissions Representing District 5 With The Appropriate Expiration Terms.

1. Hugh L. Wilcox, Jr.- SC 250 Commission (Appoint)
2. Shelva Carnell Freeman- Senior Citizens Commission (Reappoint)

OPTIONS:
1. (Recommend) Approve as presented.
2. Provide an alternate directive.

ATTACHMENTS:
None.
AGENDA ITEM: Reports To Council

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:
Monthly Financial Reports Are Provided To Council For Fiscal Year 2023 Through November 30, 2023, As An Item For The Record.

ATTACHMENTS:
A copy of Financial Reports.
<table>
<thead>
<tr>
<th>REVENUES</th>
<th>BUDGETED REVENUE</th>
<th>ACTUAL REVENUE</th>
<th>REMAINING BALANCE</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
<td>52,615,646</td>
<td>42,982,236</td>
<td>9,633,410</td>
<td>18.31%</td>
</tr>
<tr>
<td>Licenses &amp; Permits</td>
<td>1,823,480</td>
<td>668,626</td>
<td>1,154,854</td>
<td>63.33%</td>
</tr>
<tr>
<td>Fines &amp; Fees</td>
<td>3,049,000</td>
<td>1,135,125</td>
<td>1,913,875</td>
<td>62.77%</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>8,450,880</td>
<td>2,576,699</td>
<td>5,874,181</td>
<td>69.51%</td>
</tr>
<tr>
<td>Sales and Other Functional</td>
<td>9,800,000</td>
<td>3,043,942</td>
<td>6,756,058</td>
<td>68.94%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>1,537,800</td>
<td>243,813</td>
<td>1,293,987</td>
<td>84.15%</td>
</tr>
<tr>
<td>Operating Transfers</td>
<td>(43,150)</td>
<td>-</td>
<td>(43,150)</td>
<td>100.00%</td>
</tr>
<tr>
<td>Use of Fund Balance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>77,233,656</td>
<td>50,650,441</td>
<td>26,583,215</td>
<td>34.42%</td>
</tr>
</tbody>
</table>
## FLORENCE COUNTY GOVERNMENT

### GENERAL FUND

### REVENUE & EXPENDITURE REPORT FY24

**07/01/23 TO 11/30/23**

<table>
<thead>
<tr>
<th>ACCOUNT NUMBER</th>
<th>DESCRIPTION</th>
<th>BUDGETED EXPENDITURE</th>
<th>ACTUAL EXPENDITURE</th>
<th>REMAINING BALANCE</th>
<th>% SHARE of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-411-401</td>
<td>County Council</td>
<td>434,812</td>
<td>161,078</td>
<td>273,734</td>
<td>62.95%</td>
</tr>
<tr>
<td>10-411-402</td>
<td>Administrator</td>
<td>950,093</td>
<td>385,718</td>
<td>564,375</td>
<td>59.40%</td>
</tr>
<tr>
<td>10-411-403</td>
<td>Clerk of Court</td>
<td>2,253,392</td>
<td>760,810</td>
<td>1,492,583</td>
<td>66.24%</td>
</tr>
<tr>
<td>10-411-404</td>
<td>Solicitor</td>
<td>1,542,349</td>
<td>544,926</td>
<td>997,423</td>
<td>64.67%</td>
</tr>
<tr>
<td>10-411-405</td>
<td>Judge of Probate</td>
<td>859,205</td>
<td>303,831</td>
<td>555,374</td>
<td>64.64%</td>
</tr>
<tr>
<td>10-411-406</td>
<td>Public Defender</td>
<td>1,228,463</td>
<td>418,942</td>
<td>809,521</td>
<td>65.90%</td>
</tr>
<tr>
<td>10-411-407</td>
<td>Magistrates</td>
<td>2,917,577</td>
<td>1,065,153</td>
<td>1,852,424</td>
<td>63.49%</td>
</tr>
<tr>
<td>10-411-408</td>
<td>Master In Equity</td>
<td>279,563</td>
<td>105,426</td>
<td>174,137</td>
<td>65.90%</td>
</tr>
<tr>
<td>10-411-409</td>
<td>Legal Services</td>
<td>92,000</td>
<td>34,843</td>
<td>57,157</td>
<td>62.13%</td>
</tr>
<tr>
<td>10-411-410</td>
<td>Voter Registration &amp; Elections</td>
<td>1,275,431</td>
<td>279,220</td>
<td>996,211</td>
<td>78.11%</td>
</tr>
<tr>
<td>10-411-411</td>
<td>Finance</td>
<td>1,315,301</td>
<td>388,242</td>
<td>927,059</td>
<td>70.48%</td>
</tr>
<tr>
<td>10-411-412</td>
<td>Human Resources</td>
<td>666,777</td>
<td>217,846</td>
<td>448,931</td>
<td>67.33%</td>
</tr>
<tr>
<td>10-411-413</td>
<td>Procurement &amp; Vehicle Maintenance</td>
<td>2,152,886</td>
<td>503,636</td>
<td>1,649,250</td>
<td>76.61%</td>
</tr>
<tr>
<td>10-411-414</td>
<td>Administrative Services</td>
<td>540,764</td>
<td>174,760</td>
<td>366,004</td>
<td>67.68%</td>
</tr>
<tr>
<td>10-411-415</td>
<td>Treasurer</td>
<td>1,546,369</td>
<td>575,313</td>
<td>971,056</td>
<td>62.80%</td>
</tr>
<tr>
<td>10-411-416</td>
<td>Auditor</td>
<td>745,479</td>
<td>257,550</td>
<td>487,929</td>
<td>65.45%</td>
</tr>
<tr>
<td>10-411-417</td>
<td>Tax Assessor</td>
<td>1,674,097</td>
<td>593,950</td>
<td>1,080,147</td>
<td>64.52%</td>
</tr>
<tr>
<td>10-411-418</td>
<td>Planning and Building</td>
<td>2,311,008</td>
<td>663,367</td>
<td>1,647,641</td>
<td>71.30%</td>
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<tr>
<td>10-411-420</td>
<td>Facilities Management</td>
<td>3,266,403</td>
<td>1,433,141</td>
<td>1,833,261</td>
<td>56.12%</td>
</tr>
<tr>
<td>10-411-427</td>
<td>Information Technology</td>
<td>3,756,163</td>
<td>2,132,239</td>
<td>1,623,924</td>
<td>43.23%</td>
</tr>
<tr>
<td>10-411-446</td>
<td>Veteran's Affairs</td>
<td>281,254</td>
<td>112,996</td>
<td>168,258</td>
<td>59.82%</td>
</tr>
<tr>
<td>10-411-480</td>
<td>Lake City Senior Citizens Center</td>
<td>160,500</td>
<td>53,893</td>
<td>106,607</td>
<td>66.42%</td>
</tr>
<tr>
<td>10-411-482</td>
<td>Energy Savings Lease</td>
<td>471,615</td>
<td>110,364</td>
<td>361,251</td>
<td>76.60%</td>
</tr>
<tr>
<td>10-411-485</td>
<td>General Direct Assistance</td>
<td>368,512</td>
<td>195,320</td>
<td>173,192</td>
<td>47.00%</td>
</tr>
<tr>
<td>10-411-488</td>
<td>Contingency</td>
<td>2,226,136</td>
<td>531,160</td>
<td>1,694,976</td>
<td>76.14%</td>
</tr>
<tr>
<td>10-411-489</td>
<td>Employee Non-Departmental</td>
<td>1,120,739</td>
<td>500,462</td>
<td>620,277</td>
<td>55.35%</td>
</tr>
<tr>
<td>10-421-421</td>
<td>Sheriff's Office</td>
<td>25,510,650</td>
<td>9,243,486</td>
<td>16,267,164</td>
<td>63.77%</td>
</tr>
<tr>
<td>10-421-422</td>
<td>Emergency Management</td>
<td>4,537,218</td>
<td>1,726,669</td>
<td>2,810,549</td>
<td>61.94%</td>
</tr>
<tr>
<td>10-451-423</td>
<td>EMS</td>
<td>10,200,103</td>
<td>3,138,432</td>
<td>7,061,671</td>
<td>69.23%</td>
</tr>
<tr>
<td>10-451-424</td>
<td>Rescue Squads</td>
<td>891,681</td>
<td>427,247</td>
<td>464,434</td>
<td>52.09%</td>
</tr>
<tr>
<td>10-451-425</td>
<td>Coroner</td>
<td>596,967</td>
<td>219,336</td>
<td>377,631</td>
<td>63.26%</td>
</tr>
<tr>
<td>10-451-429</td>
<td>On-Site Clinic</td>
<td>279,000</td>
<td>100,525</td>
<td>178,475</td>
<td>63.97%</td>
</tr>
<tr>
<td>10-451-441</td>
<td>Health Department</td>
<td>76,850</td>
<td>55,700</td>
<td>21,150</td>
<td>27.52%</td>
</tr>
<tr>
<td>10-451-442</td>
<td>Environmental Services</td>
<td>1,063,348</td>
<td>409,488</td>
<td>653,860</td>
<td>61.49%</td>
</tr>
<tr>
<td>10-451-485</td>
<td>Health Direct Assistance</td>
<td>32,251</td>
<td>-</td>
<td>32,251</td>
<td>100.00%</td>
</tr>
<tr>
<td>10-461-485</td>
<td>Welfare - MIAP &amp; DSS</td>
<td>348,457</td>
<td>87,049</td>
<td>261,408</td>
<td>75.02%</td>
</tr>
<tr>
<td>10-471-451</td>
<td>Recreation</td>
<td>4,814,313</td>
<td>1,470,542</td>
<td>3,343,771</td>
<td>69.45%</td>
</tr>
<tr>
<td>10-471-455</td>
<td>County Library</td>
<td>4,669,213</td>
<td>1,771,898</td>
<td>2,897,315</td>
<td>62.05%</td>
</tr>
<tr>
<td>10-481-485</td>
<td>Literacy Council</td>
<td>5,000</td>
<td>1,129</td>
<td>3,871</td>
<td>77.43%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>87,461,938</td>
<td>31,155,684</td>
<td>56,306,253</td>
<td>64.38%</td>
</tr>
</tbody>
</table>

Percent of Fiscal Year Remaining = 50.0% 58.33%
## FLORENCE COUNTY GOVERNMENT
### UNIFIED FIRE DISTRICT FUND
### REVENUE & EXPENDITURE REPORT FY24
### 07/01/23 TO 11/30/23

#### REVENUE & EXPENDITURE REPORT FY24

<table>
<thead>
<tr>
<th></th>
<th>BUDGETED REVENUE</th>
<th>ACTUAL REVENUE</th>
<th>REMAINING BALANCE</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taxes</td>
<td>6,403,000</td>
<td>5,269,067</td>
<td>1,133,933</td>
<td>17.71%</td>
</tr>
<tr>
<td>Fines &amp; Fees</td>
<td>1,740,000</td>
<td>688,543</td>
<td>1,051,457</td>
<td>60.43%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>245,880</td>
<td>27,511</td>
<td>218,369</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Transfers</td>
<td>(2,638,000)</td>
<td>-</td>
<td>(2,638,000)</td>
<td>100.00%</td>
</tr>
<tr>
<td>Use of Fund Balance</td>
<td>2,603,098</td>
<td>-</td>
<td>2,603,098</td>
<td>100.00%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>8,353,978</td>
<td>5,985,121</td>
<td>2,368,857</td>
<td>28.36%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>BUDGETED EXPENDITURE</th>
<th>ACTUAL EXPENDITURE</th>
<th>REMAINING BALANCE</th>
<th>% share of total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37-451-428-100 West Florence Fire Department</td>
<td>1,758,979</td>
<td>660,403</td>
<td>1,098,576</td>
<td>62.46% 19.94%</td>
</tr>
<tr>
<td>37-451-428-120 Windy Hill Fire Department</td>
<td>1,512,941</td>
<td>483,618</td>
<td>1,029,323</td>
<td>68.03% 17.15%</td>
</tr>
<tr>
<td>37-451-428-130 Howe Springs Fire Department</td>
<td>1,225,440</td>
<td>472,433</td>
<td>753,007</td>
<td>61.45% 13.89%</td>
</tr>
<tr>
<td>37-451-428-200 Hannah/Salem Fire Department</td>
<td>666,258</td>
<td>156,802</td>
<td>509,456</td>
<td>76.47% 7.55%</td>
</tr>
<tr>
<td>37-451-428-330 Olanta Fire Department</td>
<td>556,845</td>
<td>244,252</td>
<td>312,593</td>
<td>56.14% 6.31%</td>
</tr>
<tr>
<td>37-451-428-400 Sardis Timmonsville Fire Department</td>
<td>644,396</td>
<td>268,791</td>
<td>375,605</td>
<td>58.29% 7.30%</td>
</tr>
<tr>
<td>37-451-428-500 Johnsonville Fire Department</td>
<td>741,834</td>
<td>304,944</td>
<td>436,890</td>
<td>58.89% 8.41%</td>
</tr>
<tr>
<td>37-451-428-800 Non-Departmental</td>
<td>854,798</td>
<td>595,114</td>
<td>259,684</td>
<td>30.38% 9.69%</td>
</tr>
<tr>
<td>37-451-428-900 Administration</td>
<td>862,077</td>
<td>168,444</td>
<td>693,633</td>
<td>80.46% 9.77%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>8,823,568</td>
<td>3,354,801</td>
<td>5,468,767</td>
<td>61.98% 100.00%</td>
</tr>
</tbody>
</table>

Percent of Fiscal Year Remaining: 58.33%
## FLORENCE COUNTY
### BUDGET REPORT - OTHER FUNDS
#### 07/01/23 TO 11/30/23

<table>
<thead>
<tr>
<th>Fund Description</th>
<th>Budgeted Expenditure</th>
<th>Year to Date Current</th>
<th>Remaining Balance</th>
<th>Pct</th>
<th>Budgeted Revenue</th>
<th>Year to Date Current</th>
<th>Remaining Balance</th>
<th>Pct</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 County Debt Service Fund</td>
<td>6,834,629</td>
<td>2,345,794</td>
<td>4,488,835</td>
<td>65.68%</td>
<td>7,239,500</td>
<td>5,925,749</td>
<td>1,313,751</td>
<td>18.15%</td>
</tr>
<tr>
<td>112 Economic Development Partnership Fund</td>
<td>823,025</td>
<td>246,776</td>
<td>576,249</td>
<td>70.02%</td>
<td>848,682</td>
<td>-</td>
<td>848,682</td>
<td>100.00%</td>
</tr>
<tr>
<td>123 Local Accommodations Tax Fund</td>
<td>3,327,624</td>
<td>1,167,776</td>
<td>2,159,848</td>
<td>64.91%</td>
<td>4,314,712</td>
<td>934,841</td>
<td>3,379,871</td>
<td>78.33%</td>
</tr>
<tr>
<td>124 Local Hospitality Tax Fund</td>
<td>1,855,452</td>
<td>752,513</td>
<td>1,102,939</td>
<td>59.44%</td>
<td>2,818,000</td>
<td>1,058,350</td>
<td>1,759,650</td>
<td>62.44%</td>
</tr>
<tr>
<td>131 District Utility Allocation Fund</td>
<td>131,165</td>
<td>-</td>
<td>131,165</td>
<td>100.00%</td>
<td>131,165</td>
<td>-</td>
<td>131,165</td>
<td>100.00%</td>
</tr>
<tr>
<td>132 District Infrastructure Allocation Fund</td>
<td>2,686,380</td>
<td>66,117</td>
<td>2,620,263</td>
<td>97.54%</td>
<td>2,686,380</td>
<td>-</td>
<td>2,686,380</td>
<td>100.00%</td>
</tr>
<tr>
<td>151 Law Library Fund</td>
<td>26,421</td>
<td>9,451</td>
<td>16,970</td>
<td>64.23%</td>
<td>26,421</td>
<td>7,862</td>
<td>18,559</td>
<td>70.25%</td>
</tr>
<tr>
<td>153 Road System Maintenance Fee Fund</td>
<td>4,498,207</td>
<td>1,539,603</td>
<td>2,958,605</td>
<td>65.77%</td>
<td>3,767,900</td>
<td>1,687,417</td>
<td>2,080,483</td>
<td>55.22%</td>
</tr>
<tr>
<td>154 Victim/Witness Assistance Fund</td>
<td>240,274</td>
<td>87,016</td>
<td>153,258</td>
<td>63.78%</td>
<td>405,000</td>
<td>43,017</td>
<td>361,983</td>
<td>89.38%</td>
</tr>
<tr>
<td>421 Landfill Fund</td>
<td>6,631,074</td>
<td>1,863,363</td>
<td>4,767,711</td>
<td>71.90%</td>
<td>6,750,600</td>
<td>1,649,224</td>
<td>5,101,376</td>
<td>75.57%</td>
</tr>
<tr>
<td>431 E911 System Fund</td>
<td>1,026,385</td>
<td>330,491</td>
<td>695,894</td>
<td>67.80%</td>
<td>993,000</td>
<td>34,312</td>
<td>958,688</td>
<td>96.54%</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>28,080,636</strong></td>
<td><strong>8,408,900</strong></td>
<td><strong>19,671,736</strong></td>
<td><strong>70.05%</strong></td>
<td><strong>29,981,360</strong></td>
<td><strong>11,340,771</strong></td>
<td><strong>18,640,589</strong></td>
<td><strong>62.17%</strong></td>
</tr>
</tbody>
</table>

**Percent of Fiscal Year Remaining:** 58.33%
## Florence County Council
### District Allocation Balances
#### Available Balances as of 11/30/23

<table>
<thead>
<tr>
<th>Council District #</th>
<th>Type of Allocation</th>
<th>Beginning Budget FY24</th>
<th>Commitments &amp; Current Year Expenditures</th>
<th>Current Available Balances</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Infrastructure</td>
<td>313,936</td>
<td>24,000</td>
<td>289,936</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>167,321</td>
<td>-</td>
<td>167,321</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>34,975</td>
<td>-</td>
<td>34,975</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
<tr>
<td>2</td>
<td>Infrastructure</td>
<td>238,517</td>
<td>-</td>
<td>238,517</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>360,843</td>
<td>-</td>
<td>360,843</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>2,656</td>
<td>-</td>
<td>2,656</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
<tr>
<td>3</td>
<td>Infrastructure</td>
<td>187,841</td>
<td>-</td>
<td>187,841</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>118,695</td>
<td>85,900</td>
<td>32,795</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>35,136</td>
<td>-</td>
<td>35,136</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
<tr>
<td>4</td>
<td>Infrastructure</td>
<td>182,845</td>
<td>3,875</td>
<td>178,970</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>159,796</td>
<td>-</td>
<td>159,796</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>7,808</td>
<td>-</td>
<td>7,808</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
<tr>
<td>5</td>
<td>Infrastructure</td>
<td>267,411</td>
<td>18,000</td>
<td>249,411</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>459,189</td>
<td>24,121</td>
<td>435,068</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>3,620</td>
<td>-</td>
<td>3,620</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
<tr>
<td>6</td>
<td>Infrastructure</td>
<td>268,065</td>
<td>2,500</td>
<td>265,565</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>218,805</td>
<td>24,121</td>
<td>194,685</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>2,173</td>
<td>-</td>
<td>2,173</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
<tr>
<td>7</td>
<td>Infrastructure</td>
<td>311,133</td>
<td>5,000</td>
<td>306,133</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>401,484</td>
<td>-</td>
<td>401,484</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>33,289</td>
<td>-</td>
<td>33,289</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
<tr>
<td>8</td>
<td>Infrastructure</td>
<td>105,742</td>
<td>-</td>
<td>105,742</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>259,849</td>
<td>(67,350)</td>
<td>327,199</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>763</td>
<td>-</td>
<td>763</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
<tr>
<td>9</td>
<td>Infrastructure</td>
<td>248,175</td>
<td>2,500</td>
<td>245,675</td>
</tr>
<tr>
<td></td>
<td>Paving</td>
<td>214,978</td>
<td>50,018</td>
<td>164,960</td>
</tr>
<tr>
<td></td>
<td>Utility</td>
<td>10,745</td>
<td>-</td>
<td>10,745</td>
</tr>
<tr>
<td></td>
<td>In-Kind</td>
<td>19,800</td>
<td>-</td>
<td>19,800</td>
</tr>
</tbody>
</table>

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  
CPST #2 Summary  
As of 11/30/23

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond proceeds</td>
<td>$124,840,280.25</td>
</tr>
<tr>
<td>Due from CPST #2 Debt Service Fund **</td>
<td>$1,307,437.73</td>
</tr>
<tr>
<td>West Florence Fire bond proceeds</td>
<td>$969,746.18</td>
</tr>
<tr>
<td>Transfer from debt service fund</td>
<td>$15,170,553.00</td>
</tr>
<tr>
<td>Transfer from Utility, General Fund and Infrastructure- WF Fire</td>
<td>$99,178.00</td>
</tr>
<tr>
<td>Transfer from RSMF- Districts 1 and 6</td>
<td>$167,873.00</td>
</tr>
<tr>
<td>Interest earnings through November 30, 2023</td>
<td>$3,114,105.64</td>
</tr>
<tr>
<td>Ballfield lighting lease proceeds</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>Local contributions</td>
<td>$108,148.40</td>
</tr>
<tr>
<td><strong>Total available</strong></td>
<td>$146,277,322.20</td>
</tr>
<tr>
<td>Transfer funds back to General Fund</td>
<td>$604,500.00</td>
</tr>
<tr>
<td>Expenditures through 11/30/2023</td>
<td>$145,668,305.98</td>
</tr>
<tr>
<td>Outstanding purchase orders as of 11/30/2023</td>
<td>$4,516.22</td>
</tr>
<tr>
<td><strong>Total expended/committed</strong></td>
<td>$146,277,322.20</td>
</tr>
<tr>
<td><strong>Total remaining</strong></td>
<td>$-</td>
</tr>
</tbody>
</table>

* See detail report for expenditures and purchase orders by project

** The CPST #2 debt service fund remaining fund balance after all debt service requirements were met, totaled $12,361,716 per the June 30, 2022 audit report. After on-going CPST #2 projects are completed, remaining funds will be transferred to the CPST #3 capital project funds to be used on approved projects.
<table>
<thead>
<tr>
<th>Project #</th>
<th>Type</th>
<th>District</th>
<th>Entity</th>
<th>Project Description</th>
<th>Location</th>
<th>Approved Funds</th>
<th>Division Totals</th>
<th>Expended as of 11/30/2023</th>
<th>O/S Purchase Orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Building</td>
<td>Johnsonville Rural Fire District</td>
<td>New Main Station</td>
<td>Highway 41/51</td>
<td>$1,800,000.00</td>
<td>$1,795,498.86</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Building</td>
<td>Johnsonville Rural Fire District</td>
<td>New Kingsburg station</td>
<td></td>
<td>$600,000.00</td>
<td>$600,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Building</td>
<td>Windy Hill Fire District</td>
<td>New Quincy Station</td>
<td></td>
<td>$1,800,000.00</td>
<td>$1,799,900.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Building</td>
<td>Howe Springs Fire District</td>
<td>New Main Station</td>
<td></td>
<td>$3,700,000.00</td>
<td>$3,805,434.97</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Building</td>
<td>South Lynches Fire District</td>
<td>Classroom, Logistics, &amp; Maintenance Facility</td>
<td></td>
<td>$1,000,000.00</td>
<td>$1,021,307.83</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Building</td>
<td>South Lynches Fire District</td>
<td>Upgrades to Station One Facilities</td>
<td></td>
<td>$1,000,000.00</td>
<td>$986,437.67</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Building</td>
<td>South Lynches Fire District</td>
<td>Upgrades at Nine Fire Stations</td>
<td></td>
<td>$500,000.00</td>
<td>$499,807.16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Building</td>
<td>West Florence Fire District</td>
<td>New Station on Hoffmeyer Road</td>
<td></td>
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<td>9</td>
<td>Building</td>
<td>West Florence Fire District</td>
<td>Addition to Station One</td>
<td>Pine Needles Road</td>
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<td>Hannah Salem Friendfield Fire</td>
<td>New Stations at Friendfield &amp; Finningtown</td>
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<td>Building</td>
<td>Hannah Salem Friendfield Fire</td>
<td>Upgrade Stations One and Two</td>
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<td>Building</td>
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<td>Upgrade Stations Three and Four</td>
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<td>Schiltz Drive</td>
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<td>Radio Upgrades - all Emergency Management Facilities</td>
<td>Law Enforcement Complex</td>
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<td>New Emergency Operations Center Building</td>
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<td>Florence County</td>
<td>Replacement of Boilers &amp; Water Heaters at County Jail</td>
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<td>Flex Units &amp; Safety upgrades at County Jail</td>
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<td>New Storage Building</td>
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<td>New K-9 Training Facility</td>
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<td>Renovations at Law Enforcement Complex</td>
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<td>Renovation of Vacated Space at County Complex</td>
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<td>Salem Road/McAllister Mill Rd/Sand Hills Water Loop</td>
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<td>Burch Rd/Old Georgestown Rd/Camerontown Rd Water Loop</td>
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<td>National Cemetery Road</td>
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<td>40 Corridor Enhancements</td>
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<td>Vista St.</td>
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<td>E. Evans St.</td>
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<td>586 Road Widening</td>
<td>S. Cashua Dr.</td>
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<td>67 Sewer</td>
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**Category Total** $888,000.00

**Category Total** $79,906.18

**Category Total** $16,250,000.00
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<td>S. Railroad Ave.</td>
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<td>Division Totals</td>
<td>Expended as of 11/30/2023</td>
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<td>Charlie Cade Rd.</td>
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<td>Willow Grove Rd.</td>
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<td>Haven Rd.</td>
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<td>Darietown Rd.</td>
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<td>Pepper Tree Rd.</td>
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<td>Antique Cir.</td>
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<td>Diamond Head Loop Rd.</td>
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<td>Pecan Grove Rd.</td>
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<td>Tabernacle Rd.</td>
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<td>Car Rd.</td>
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<td>W. Turner Gate Rd.</td>
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<td>Brick House Rd.</td>
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<td>Eureka Rd.</td>
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<td>Taylor Hill Cir.</td>
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<td>James Town Rd.</td>
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<td>Fleetwood Dr.</td>
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<td>Ard St.</td>
<td>$   12,774.62</td>
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<td>Wickerswood Rd.</td>
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<td>Large Farm Rd.</td>
<td>$   170,555.31</td>
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<td>District 6</td>
<td>Camp Wiggins Rd.</td>
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<td>Horse Shoe Rd.</td>
<td>$   20,268.44</td>
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<td>Benton Rd.</td>
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<td>Freeman Ln.</td>
<td>$   27,460.75</td>
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<td>Nita Cain Rd.</td>
<td>$   81,657.88</td>
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<td>South Wind Rd.</td>
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<td>Gum Rd.</td>
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<td>Blue Cap Road</td>
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<td>Chisolm Trail</td>
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<td>Dunaway Drive</td>
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<td>Mill Branch Road</td>
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<td>Pine Haven Drive</td>
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<td>Quincy Road</td>
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<td>E Stardust Road</td>
<td>$   4,749.42</td>
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<td>Sam Grover Road</td>
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<td>Sanddied Road</td>
<td>$   144,944.00</td>
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<td>S Terrace Drive</td>
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<td>Bean Hogan Circle</td>
<td>$   54,581.78</td>
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<td>Freemont Street</td>
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<td>Middletuff Lane</td>
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<td>Moore Road</td>
<td>$   299,743.99</td>
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<td>CPST2 Phase II Engineering</td>
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<td>Hughes Cir (off TV Rd.)</td>
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<td>District 7</td>
<td>Joan Rd. (off TV Rd.)</td>
<td>$   245,294.30</td>
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<td>John C. Calcoum Rd.</td>
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<td>Wilson Rd.</td>
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<td>District 7</td>
<td>Pocket Rd.</td>
<td>$   301,597.57</td>
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<td>District 7</td>
<td>W. Black Creek Rd.</td>
<td>$   168,777.20</td>
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<td>W. Molker Rd.</td>
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<td>R. Bar M. Ranch Rd.</td>
<td>$   88,739.03</td>
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<td>Tara Dr.</td>
<td>$   9,680.54</td>
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**District 9**

**Hampton Pointe Subdivision**

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**Category Total** $36,304,677.00

**Grand Total of all projects** $151,331,475.21 $145,668,305.98 $4,516.22
## Florence County
### CPST #3 Summary
#### 11/30/2023

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*See detail report for expenditures and purchase orders by project
### CAPITAL PROJECT SALES TAX #3
#### DETAIL EXPENDITURES

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<td>City of Johnsonville</td>
<td>Improvements to sport and recreation facilities of the City including without limitation development of a municipal golf course</td>
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<td>Water</td>
<td>Town of Pamplico</td>
<td>Installation of water lines, well and tank along</td>
<td>Big Swamp and surrounding roads</td>
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<td>235</td>
<td>Water</td>
<td>Town of Scranton</td>
<td>Improvements to Scranton Water system to include extension of water mains, upgrades to well sites and water tank, repair of hydrants and replacement of water meters</td>
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<td>2,385,000.00</td>
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<td>Water</td>
<td>Town of Coward</td>
<td>Old Creek Rd, Trifalia Road, Nealy Matthews Rd water lines</td>
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<td>Town of Coward</td>
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<td>Building</td>
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<td>Water</td>
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<td>Water line extension to Butler Scurry Rd and Central Rd tie into Barrineau water system</td>
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<td>243</td>
<td>Water</td>
<td>Town of Olanta</td>
<td>Water line extension to Scurry Rd, Myers Rd, down Hwy 341 to Fire Dept, Jordan Chapel Rd to Hwy 301 back to Olanta, and Carmen Shortcut Rd to Hwy 403 and other roads</td>
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<td>Sewer</td>
<td>Town of Olanta</td>
<td>Improvements to Hwy 341 well and treatment plant</td>
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<td>245 Building</td>
<td>Town of Olanta</td>
<td>New Community Center</td>
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<td>246 Recreation/Building</td>
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<td>Town of Quinby</td>
<td>Development of Town Hall and Public Safety facilities</td>
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<td>Town of Quinby</td>
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<td>III. General County Projects</td>
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<tr>
<td>249 Building</td>
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<td>Renovations to Florence County Public Services Bldg</td>
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<td>Upgrades to Lower Florence County Public Servs Bldg</td>
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<td>New Manned Convenience Center in Johnsonville</td>
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<td>253 Equipment</td>
<td>Florence County</td>
<td>Additional voting system improvements for absentee and early voting center</td>
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<td>254 Building</td>
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<td>Parking lot improvements at Voters Reg Building</td>
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<td>256 Recreation</td>
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<td>Paving of parking lots at Johnsonville Athletic Center</td>
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<td>Resurfacing of playground, track and basketball courts and drainage improvements at Spaulding Heights</td>
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<td>258 Recreation</td>
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<td>Reclaiming and paving of roads and parking lots at LRCP</td>
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<td>Paving of parking lot at Coward Athletic Park</td>
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<td>Drainage Improvements to Tara Village Neighborhood</td>
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<td>IV. Road, Infrastructure and Other Improvements by Council District</td>
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AGENDA ITEM: Reports to Council

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:
Council Is Asked To Authorize The County Administrator To Execute An Easement To Duke Energy Progress, LLC To Install Upgraded Facilities At Property Owned by Florence County (TMP# 80010-02-003) To Be Funded By Duke Energy.

POINTS TO CONSIDER:
1. Duke Energy will need the easement to install new 750 UG cable lines and switchgear as depicted in the attached Duke Map along S. Ron McNair Blvd and vicinity. This easement will improve reliability throughout the area.
2. The easement consists of a 30’ strip of land in uniform width for overhead facilities and a strip of land 20’ in uniform width for the underground portion along with an area 10’ wide on all sides for the foundation of any enclosure/transformer, vault, and/or manhole.
3. Duke will return any damage to reasonably close preconstruction conditions.

OPTIONS:
1. (Recommended) Approve as presented.

ATTACHMENT:
1. Copy of Easement with map
2. Email from Duke Energy dated November 3, 2024
3. Parcel information and deed
EASEMENT

State of South Carolina
County of Florence

THIS EASEMENT ("Easement") is made this _____ day of __________________ 20____, from THE COUNTY OF FLORENCE ("Grantor", whether one or more), to DUKE ENERGY PROGRESS, LLC, a North Carolina limited liability company ("Grantee").

Grantor, for and in consideration of the sum of One and 00/100 Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "Facilities").

Grantor is the owner of that certain property described in that instrument recorded in Deed Book A268, Page 1183, Florence County Clerk of Court ("Property").

The Facilities may be both overhead and underground and located in, upon, over, along, under, through, and across a portion of the Property within an easement area described as follows:

A strip of land thirty feet (30’) in uniform width for the overhead portion of said Facilities and a strip of land twenty feet (20’) in uniform width for the underground portion of said Facilities, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10’) wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the “Easement Area”).

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.

3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.

4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.

5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.

6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.

7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.

8. The rights granted in this Easement include the right to install Facilities wherever needed on the Property to serve future development on the Property and neighboring lands. Portions of the Facilities may be installed immediately and other portions may be installed in the future as the need develops. Facilities installed in the future shall be installed at locations mutually agreeable to the parties hereto if they are to be located outside of the Easement Area. Upon any future installations of Facilities at mutually agreed locations, the Easement Area shall be deemed to include such future locations at the widths defined in this Easement.

9. All other rights and privileges reasonably necessary, in Grantee’s sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.
IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of __________________, 20____.

Witnesses:

______________________________
(Witness #1)

By:______________________________

Its:______________________________

______________________________
(Witness #2)

THE COUNTY OF FLORENCE

I, _______________________________, a Notary Public of ____________________ County, State of ________________________, certify that ________________________________, as ________________________________ of THE COUNTY OF FLORENCE, personally appeared before me this day and acknowledged the due execution of the foregoing EASEMENT.

Witness my hand and notarial seal, this ____ day of _________________________, 20____.

Notary Public: _______________________

Commission expires: ____________________
Shannon,

There is another project in Lake City where we are placing UG power to improve reliability. I have attached the design map along with the property card. Please let me know if you need anything additional for this project or the prior one I submitted. I would be happy to meet anyone on site as well if needed.

Have a great weekend.

Thanks
Todd

Todd Caton
Project Manager
P.O. Box 1241
Conway, SC 25928
Cell 843-251-5069
Todd.Caton@Southeasternlandco.com
Todd.Caton@Duke-Energy.com
Parcel Information
- Parcel Number: 80010-02-303
- Location Address: 3455 S McNair Blvd
- Legal Description: Lake City Public Serv (Note: Not to be used on legal documents)
- Deeded Acres: 0.00
- Property Use: CI Commercial Improved
- Tax District: 320 Lake City
- Homestead: N

Owner
- COUNTY OF FLORENCE
- THE CITY COUNTY COMPLEX
- FLORENCE SC
- 29501

Certified 2022 Tax Year Value Information
- Land Value: $88,352
- Improvement Value: $0
- Miscellaneous Value: $0
- Total Appraised Value: $88,352

Tax Collector

No data available for the following modules: Residential Buildings, Miscellaneous Improvements, Sales.
State of South Carolina
COUNTY OF FLORENCE

WHEREAS, Mrs. Leola H. Teal, our Mother, died testate on November 21, 1978, leaving various property in which she owned a fee simple interest and a life estate;

AND WHEREAS, the grantors, herein are the only heirs and beneficiaries of the Last Will and Testament of Leola H. Teal;

AND WHEREAS, as sole Heirs of Leola H. Teal, we wish to convey a portion of said property to the County of Florence, a political subdivision of the State of South Carolina;

NOW THEREFORE,

Know All Men by These Presents, That We, Folly T. Matthews
DeVonna T. Hanna, Jack D. Teal and Jerry M. Teal

of the County of Florence in the State aforesaid, for and in consideration of the sum of One Hundred Fifty Thousand and No/100 ($150,000.00) Dollars to us paid by The County of Florence in the State aforesaid. The receipt whereof is hereby acknowledged, have granted, bargained, sold and released and by these presents do grant, bargain, sell and release unto the said

COUNTY OF FLORENCE, its Successors and Assigns forever:

All that certain piece, parcel or tract of land situate, lying and being in the City of Lake City, County of Florence, State of South Carolina on the Eastern side of U. S. Highway 52, containing 3.756 acres being more particularly shown and designated on a Plat made by Ebert E. Floyd, R.L.S., for the County of Florence, on June 29, 1987, which Plat is recorded in Plat Book 28, Page 58.

Florence County records and is reference made to a part hereof and incorporated herewith. According to said Plat said tract of land contains 3.756 acres and is bounded on the North by lands of Lake City Housing Authority on which it measures 378.60 feet on the East by A. J. Moore Estate, a ditch and a Cash Subdivision on the South by property now or formerly of J. M. Griffis and Deep River Street; and on the West by U. S. Highway 52 also known as South Boulevard.

This property designated as
MAP BOARD BLOCK 02 Parcel 003
ON FLORENCE COUNTY TAX MAPS

SPLIT FROM
A. J. PROSSER, FLORENCE COUNTY TAX ASSESSOR

(Cont'd)
STATE OF SOUTH CAROLINA.
FLORENCE County.

PERSONALLY appeared before me Luci M. Coleman
and made oath that she saw the within named Polly T. Matthews, DeVonne
T. Hanna, Jack D. Teal and Jerry M. Teal
sign, seal and, as their act and deed, deliver the within written Deed for the uses and purposes therein
mentioned, and that he, with George A. Thomy
witnessed the execution thereof.

SWORN to before me this 29th
Day of June, 1887
(L.S.)

Notary Public of S.C.

001185
State of South Carolina
County of Florence

Polly T. Matthews, DeVonne T. Hanna, Jack D. Teal and Jerry M. Teal
TO COUNTY OF FLORENCE

TITLE TO REAL ESTATE

I hereby certify that the within Deed was filed for record in my office at 4:45 P.M. o'clock on the 30th day of June 1987, and was immediately entered upon the proper index and duly recorded in Book A-268 of Deeds, page 183.

[Signature]
Sheriff of Court of Common Pleas and General Sessions for Florence
County, S. C.

I hereby certify that the within Deed has been this day of A.D. Recorded in Book of Deeds, page

[Signature]
Assistant
for County
AGENDA ITEM: Reports to Council

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION: Request Approval Of Agreement With Davis & Floyd For Engineering Services In The Amount Of $558,000 For The RIA SCIIP Drainage Improvements Grant Project And Authorize The County Administrator To Execute Agreement.

POINTS TO CONSIDER:
1) Davis & Floyd is on Florence County’s approved on call engineering list and approval for total project commitment costs including engineering costs ($564,656) as part of the overall SCIIP project was approved on August 18, 2022. ARPA funds will be utilized for the required project match.
2) Council approval includes authorization for the County Administrator to execute all associated documents and agreements to proceed, pending County Attorney review and approval.

FUNDING FACTORS:
The project and funding were approved by Council on August 18, 2022.

OPTIONS:
1) (Recommended) Approve as presented.
2) Provide alternate directive.

ATTACHMENTS:
Minutes of August 18, 2022 Council meeting.
AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement, made this 18th day of December, 2023, between Florence County (Client) and Davis & Floyd, Inc. (D&F), along with the referenced Attachments, constitute the entire Contract. Acceptance is limited to the terms and conditions stated herein and attached.

SERVICES: Client authorizes D&F to provide services as set forth below in connection with Client’s project (Project) described as follows: Florence County SCIIP Drainage Improvements

SCOPE: D&F agrees to provide the Professional Services as defined in the attached Scope of Services (Attachment A).

COMPENSATION: Compensation for the Professional Services described above will be billed on a Lump Sum basis for a total amount of $558,000.00. Monthly invoices will be submitted for payment on a percent complete basis. Additional services requested or required in response to legal proceedings, including but not limited to depositions, will be invoiced at 1.5 times the applicable Standard Rate(s) in place at the time of services provided.

CONTRACT VALIDITY: This Contract is valid only if signed within thirty calendar days of the date of this Agreement as noted above unless officially agreed to by both parties. No modifications, alterations, changes, or waiver to the Standard Terms and Conditions shall be valid or binding unless officially agreed to and acknowledged by both parties. A sample Amendment to Agreement for Professional Services is included as Attachment C.

Through the signing of this Agreement the signatory represents and warrants that they are duly authorized to enter into this Agreement on the Client's behalf. Signatory further acknowledges receipt and acceptance of Standard Terms and Conditions (Attachment B).

Client Acceptance

Signature

Name of Signatory

Title

Date

Davis & Floyd, Inc.

Signature

Todd J. Warren

Name of Signatory

Vice President

Title

12/18/23

Date

Attachments:

A) Scope of Services
B) Standard Terms and Conditions
C) Sample Amendment to Agreement for Professional Services
SUMMARY OF SCOPE

The purpose of the Florence County Drainage Improvements Project is to address significant drainage needs in Florence County in five (5) areas of Florence County – Lucas Street, Stratton Drive, Malden Drive, McMaster Avenue, and Thomas Road (Project). The Project seeks to improve existing drainage capacities at the various locations which are stressed due to failing materials, potential under sizing, and more frequent and intense rainfall events than in years previous. The drainage improvements advanced under this Scope of Services are conceptually depicted in Exhibits A thru E – Conceptual Improvements.

Davis & Floyd, Inc. (D|F) will provide project management, data gathering, preliminary and final design (to include field investigation of concepts to assess on-site conditions for engineering consideration in the advancement of conceptual design), permitting services, preparation of construction drawings, specifications, and other contract documents, bid support, and construction contract administration services for the Project.

To accommodate the project delivery limitations imposed by the RIA administered SCIIP funding requirements associated with the Project, D|F will be executing the design and permitting of the project area components concurrently. For the purpose of preparing a fee estimate for the Project, it is assumed that the project delivery will be best supported through the bidding and contracting of one construction contract. While all conceptual improvement elements will be considered in the preliminary investigation and design, it is further expected that final design and permitting will be scaled and/or phased as required with additive bid items, if applicable, in response to results of field investigations, Project funding, and grant schedule requirements.

TASK A – PROJECT MANAGEMENT

D|F will provide project management of design and construction-phase services, scheduling, and coordination with the County to support the execution of the Project. Expected tasks and deliverables are listed below:

A.1. Project Management and Coordination:
   a. Project kick-off meeting.
   b. Scheduling and schedule maintenance.
   c. Progress monitoring.
   d. Project records.
   e. Monthly invoicing
   f. Coordination and liaison with the County.

TASK B – DATA GATHERING

This task will involve topographic, limited boundary and right-of-way survey to support the design. Activities supporting the completion of this task are identified below and will be completed within the limits generally identified and described further in the Exhibits:
B.1. Geotechnical Evaluation:

a. D|F will engage S&ME to perform geotechnical investigations at various points within the Project limits for the generation of a geotechnical design report.

b. Field investigations and laboratory work will be performed to conduct an evaluation of ground conditions and to support the following recommendations:
   1. Pipe trenching recommendations.
   2. Site specific groundwater conditions.

B.2. Field Survey:

a. Right-of-Way and Limited Boundary Survey: D|F will perform right-of-way and boundary survey to establish the limits of the public right of way, and the limits of private and public (e.g., County owned) property.

b. Topographic Survey: D|F will perform topographic survey to quantify existing grades, locate existing surface features and utilities (observable, marked, or accessible from the ground surface) apparent to the surveyor.

c. Field survey will be collected relative to or transformed to the following coordinate systems/datums:
   1. The horizontal, or x-y, coordinate system of all field survey performed as a part of this project will be tied to the North American Datum of 1983 (NAD83) South Carolina State Plane Coordinate System, with the international foot as the unit of measurement (SC83IF).
   2. The vertical, or z, coordinate system of all field survey performed as a part of this project will be tied to the North American Vertical Datum of 1988 (NAVD88)

**TASK C – DESIGN AND PERMITTING**

D|F will advance the conceptual design included in the County’s SCIIP Application and prepare construction documents for the drainage system improvements. From this design, construction documents and an opinion of probable construction cost (OPCC) will be produced. Construction documents will include drawings, and technical specifications suitable for use in bidding and contracting work to be completed. Specific sub-tasks and deliverables are as follows:

C.1. Design, Construction Drawings, and Technical Specifications:

a. 60% Design and Construction Drawings and 60% Construction Contract Documents:
   1. Development of the design of the collection and conveyance system to a 60% level and submit the plans to the County for review.
   2. D|F will prepare construction contract documents to a 60% level to support the construction of the drainage improvements and submit the contract documents to the County for review. Such documents will be composed based on the 2018 version of the
Engineers Joint Contract Document Committee (EJCDC) General and Supplementary Conditions and coordinating documents.

3. D|F will receive the County’s comments on the 60% plans and construction contract documents and address them in the 90% design documents.

b. Permitting: D|F will prepare and submit applications for the below-listed permits supporting the construction of proposed improvements. D|F will receive, address, and resubmit permit applications for up to two rounds of comments for each of the permit applications. Services include preparation and submittal of the following:

1. SCDHEC Notice of Intent (NOI) for coverage of primary permittees under the South Carolina National Pollution Discharge Elimination System (NPDES) general permit for stormwater discharges from construction activities.

2. Florence County Municipal Separate Storm Sewer System (MS4) permit

3. SCDOT Encroachment Permit for work proposed on SCDOT owned streets within the Project footprint.

c. 90% Design, Construction Drawings, and Technical Specifications:

1. Upon receipt of all County / other comments for 60% design, D|F will incorporate such comments as appropriate and will further develop the design to the 90% level and submit the 90% plans and specifications to the County for review.

2. D|F will receive the County’s comments on the 90% plans and specifications and address them in the 100% design documents.

d. 100% Design, Construction Drawings, and Technical Specifications:

1. Upon receipt of all County / other comments for 90% design, D|F will prepare final updates to the plans and technical specifications to allow for their use, in coordination with the construction contract documents, in the solicitation of bids.

C.2. Opinion of Probable Construction Cost (OPCC)

a. As a part of the design process, D|F will develop an OPCC for use by the County.

b. The OPCC will be developed as the design progresses and will be submitted to the County for review and comment at the 60% design deliverable.

c. The developed OPCC will be updated to reflect final design updates and will be submitted at the 100% design deliverable.

**PROJECT ASSUMPTIONS**

- Environmental Analysis (wetland flagging/delineation, cultural resource study, threatened and endangered species reporting, etc.) will not be required.
• Subsurface Utility Engineering (SUE) will not be required.
• Utility coordination will be provided by Florence County.
• Public easements or property acquisitions will be provided by Florence County.
• The Project will be bid and awarded as one construction contract.
• Florence County will coordinate with SCIIP regarding any project modifications from the original application

**TASK D – BIDDING SERVICES**

D|F will provide assistance to the County for bidding of one construction contract. Tasks include, bid advertisement, pre-bid conference, receipt and response to bidder questions, production and distribution of addenda, receipt, and review of bids, bid tabulation, and recommendation of award. Following the recommendation of award and approval of the construction contract by the County, D|F will prepare a Notice of Award, coordinate the execution of the agreement between the County and the contractor providing the lowest responsive responsible bid, and the preparation of a notice to proceed. These tasks are further identified below:

D.1. Advertisement for Bids:
   a. D|F will prepare an advertisement for bids for use by the County. Such document will be delivered to the County in PDF format for County’s use in bid advertisement on vendor registry and South Carolina Business Opportunities (SCBO).

D.2. Pre-Bid Conference:
   a. D|F will conduct a pre-bid conference prior to the date for receipt of bids. This conference will facilitate communication between the project team and prospective contractors.
   b. This conference will also be used to identify specific Project requirements for the prospective contractors (e.g., special design considerations, grant funding requirements, etc.).

D.3. Respond to Bidder Questions/RFIs:
   a. D|F will review and respond to questions/RFIs received from prospective contractors during the bidding period.

D.4. Receipt of Bids:
   a. D|F will attend the bid opening with representatives of the County and will assist with the public opening and documentation of bids received.
   b. D|F will review the bids received and check for conformance with the instructions to bidders.

D.5. Bid Tabulation and Recommendation of Award:
   a. D|F will review the bids and confirm conformance with the instructions to bidders.
b. D|F will review and tabulate the bids to confirm pricing presented by each bidder.

c. D|F will prepare a recommendation of award for use by the County.

D.6. Contracting Assistance:

a. Preparation of Notice of Award for use by the County.

b. Coordination of the execution of the agreement between the County and the contractor.

c. Preparation of a Notice to Proceed for use by the County.

**TASK D EXCEPTIONS:**

a. The scope of services is based upon traditional design-bid-build Project procurement. As such, pre-qualification of bidders, early advertisement services, advance solicitation support is not included, but may be provided as an additional service upon the County’s request and authorization.

**TASK E – CONSTRUCTION CONTRACT ADMINISTRATION**

D|F will provide construction contract administration services in support of the Project construction phase. Such services will include providing a project construction-phase service manager and supporting staff for construction contract administration and document management. Specific tasks/services to be provided include the following:

**E.1. Project Construction-phase Manager and Supporting Staff:**

a. D|F will provide a project construction-phase manager to periodically oversee the construction of the proposed work. This position and supporting staff will be responsible for:

1. General administration of the services provided.

2. D|F will provide an Inspector for one (1) days per week for an 80-week period

3. Direction of inspection staff.

4. Direction of engineering resources to address design related tasks such as submittal reviews, contractor RFIs, design modifications, and permitting related matters.

5. D|F has included an allowance of 2 hours per week with an RCM III for an 80-week period.

6. Duration of Construction is anticipated at 80-weeks between the five (5) improvement areas.

**E.2. Project Administration:**

a. Liaison with the contractor and County:

1. Attendance of pre-construction meeting.
2. Attendance of monthly progress meetings.
3. Attendance of coordination meetings.
b. Resource/permitting agency coordination as required
c. Project documentation:
   1. Daily log/work reporting during periodic inspections.
   2. Periodic documentation of the work by photographic and/or videographic means as a supplement to the contractor’s documentation requirements specified as a part of the construction contract documents.
d. Monthly progress Reporting:
   1. Prepare monthly progress reporting for the County to include a summary of the contractor’s progress, general condition of the work, problems, and resolutions or proposed resolutions to such problems.

E.3. Contract Administration:
   a. Review and processing of contractor pay requests.
   b. Construction work change directives.
   c. Construction contract change orders.
   d. Contractor Submittals:
      1. Submittal review, coordination, and tracking.
      2. Change proposal review.
      3. As-built document review.
   e. Project Scheduling:
      1. Review and comments on the contractor progress schedule and associated updates.
      2. Review of contractor provided progress reporting against field observed progress.
   f. Project Closeout:
      1. Upon completion of interim milestones and partial utilization of facilities and prior to issuing a certificate of substantial completion, D|F will inspect the work and prepare a punch-list of those items to be completed or corrected before final completion of the project. D|F will submit the results of this inspection to the County and the contractor.
      2. Prior to issuing a certificate of final completion, provide an opinion on status of whether those items on the punch list have been completed or corrected by the contractor.
3. Provide written recommendation concerning final payment of the contractor to the County including a list of items to be completed prior to making such payment. This task will include review of Project requirements, obtaining consent of surety, lien waivers, development of a final change order for allowances or other changes for time and cost that revert to the County, and review of other records required prior to release of final payment.

**TASK E EXCEPTIONS:** Services requested by the County that are not included in one of the items above will be classified as out of scope services. D|F may, upon authorization by the County, provide such additional services to support the Project on a time and expense basis in accordance with D|F's standard rate and reimbursable expense schedule. Additional services may include, but are not limited to:

a. Review and analysis of contractor's claims for differing subsurface and physical conditions.

b. No cost provisions have been included for night or weekend work.

c. Work zone inspection and traffic control inspections.

d. SWPPP or environmental inspections and reporting

e. Materials sampling and testing

f. Utility Coordination and relocations

g. Construction staking or Survey verifications of construction items.

h. Right of way services

i. Additional meetings with local, State, or Federal agencies to discuss Project-related issues; assistance with response to permit requirements that become effective subsequent to the date of agreement for this scope of work.

j. Additional appearances at public hearings or before special boards, not related to public relations support.

k. Supplemental engineering work necessary to meet the requirements of regulatory or funding agencies that become effective subsequent to the date of agreement for this scope of work.

l. Special consultants or independent professional associates requested or authorized by the County.

m. Preparation for litigation, arbitration, or other legal or administrative proceedings, or appearances in court or at arbitration sessions in connection with change orders or construction incidents.

n. Environmental assessment report and/or environmental impact statement as requested by the County or regulatory agencies subsequent to the date of agreement for this scope of work.

o. Cultural resources or archaeological consultation, study, and/or reporting for the site of construction requested by the County or regulatory agency or resulting from artifacts found at
the site of construction during construction activities, subsequent to the date of agreement for this scope of work.

p. Laboratory and field testing required during construction and of any special reports or studies on materials and equipment requested by the County.

q. Observing factor tests and/or field testing of equipment that fails to pass the initial test.

r. Assistance in financially related transactions for the Project.

s. Special reports requested by the County concerning facilities operation and personnel matters during the operation startup period.

t. Where field conditions differ above and beyond those which could reasonably be expected from the geotechnical investigations and included in the Geotechnical Reports, preparing documentation including sketches of construction work for approval by the County, to supplement the drawings and specifications as may be required; and providing redesign if required.

u. Services for making revisions to drawings and specifications made necessary by the acceptance of substitutions proposed by the contractor; and services after the award of each contract for evaluating and determining the acceptability of substitutions proposed by the contractor.

v. Services resulting from significant delays, changes, or price increases caused directly or indirectly by shortages of materials, labor, equipment, or energy.

w. Additional or extended services during construction made necessary by (1) work damaged by fire or other cause during construction, (2) a significant amount of defective or neglected work by the contractor, (3) acceleration of the progress schedule involving service beyond normal working hours, (4) default by contractor, and (5) failure of the contractor complete the work within the contract times.

x. Special services in connection with partial utilization of any part of the Project by the County prior to substantial completion which requires the Project construction manager and supporting staff to work additional hours or requires the employment of additional onsite personnel.

Y. Evaluation of unusually complex or unreasonably numerous claims submitted by the contractor or others in connection with the work.

(End of Engineer’s Scope of Services)
new wells, and work toward the goal of having water along Hwy 52 throughout Florence County leaving only 1.5 miles between Lake City and Scranton. The motion was approved unanimously by all the members present.

**FLORENCE COUNTY**
Council Is Requested To Provide A Commitment Letter To The State That The County Will Make The SCIPP Required Match Up To $2.5 Million Contingent Upon If The Grant Is Awarded For Regional Drainage Improvements. Councilman Poston made the motion and Councilman Brand seconded the motion. Mr. Smith stated the County would like to apply for a $10 million SCIIP Grant for drainage. The County would have to make a 25% match to the project due to the population threshold and being a Tier II County. The staff and engineers are still working out the specifics of scope for the drainage project. Todd Warren and Carlisle Gregg are working on the submittal. The motion was approved unanimously by all members present.

**INFRASTRUCTURE**

**TREE REMOVAL ALONG THREE STATE ROADS**
Council Is Requested To Approve The Expenditure Of Up To $19,000.00 From Council District 8 Infrastructure Funding Allocation To Remove Thirteen (13) Big Pine Trees And Grind Stumps, Clean Up All Debris And Haul Off Debris From Site And The Road Right Of Way On Country Club Blvd., Fairway Dr., And Pineland Ave. For State Repaving Project. Councilman Caudle made the motion and Councilman Brand seconded the motion. The motion was approved unanimously by all members present.

**MURFIELD PLACE**
Council Is Requested To Approve The Expenditure Of Up To $15,000.00 From Council District 9 Infrastructure Funding Allocation To Repair Sink Hole Over Outfall Pipe Off Murfield Place And It Will Include Excavating And Exploring The Sink Hole On The Storm Pipe Which The Sink Hole Is Approximately 10’ Deep And Will Require Large Excavator And Trench Box With Exploring Repair In The Pipe Fill Void And Re-Dress Yard Pipe And The Quantity Not To Exceed 40’ LF Of Pipe. Councilman Brand made the motion and Councilman Moore seconded the motion. The motion was approved unanimously by all members present.

**TOWN OF SCRANTON**
Council Is Requested To Approve The Expenditure Of Up To $4,049.03 From Council District 1 Infrastructure Funding Allocation To Make Signs, Post And Hardware For The Town Of Scranton. Councilman Springs made the motion and Councilman Caudle seconded the motion. The motion was approved unanimously by all members present.
AGENDA ITEM: Report to Council

DEPARTMENT: Florence County Parks & Recreation

ISSUE UNDER CONSIDERATION:

The Florence County Parks & Recreation Director is requesting Council to authorize a budget-neutral pay adjustment for slot #’s 009 & 305 utilizing FY2023/24 departmental budgeted funds in the amount of $4,000.

POINTS TO CONSIDER:

1. Both employee’s job performance, work knowledge, and experience merits and justifies this request.
2. This Recreation Specialist II & Area Maintenance Supervisor positions are responsible for:
   a. Maintaining all 34 parks across Florence County.
   b. Ensures park cleanliness and safety.
   c. Prepares all athletic fields for play.
   d. Performs facility repairs as needed.
3. These increases align with department intentions to establish hourly wages that attract and retain good employees within the Parks & Recreation Department.

FUNDING FACTORS:

1. NO additional funding will be required, this pay adjustment will be funded from the current year’s salary savings from vacancies.
2. Budget adjustments will be made to accommodate increases in the upcoming FY24/25.

OPTIONS:

1. (Recommended) Approve the requested pay adjustment.
2. Provide an alternate directive.
AGENDA ITEM: Reports to Council

DEPARTMENT: Windy Hill Fire District
Procurement

ISSUE UNDER CONSIDERATION: Request for Council To Award Bid No. 17-23/24, Windy Hill Fire Station No. 3 Additions To W. B. Brawley Company Of Cayce, SC In The Amount Of Six Hundred Seventy Six Thousand Five Hundred Forty One Dollars ($676,541.00) From Unified Fire District Windy Hill Capital Improvement Funds. (3 Bids Received).

POINTS TO CONSIDER:
1) Bid No. 17-23/24 was advertised on Vendor Registry and in the South Carolina Business Opportunities (SCBO) Newsletter on November 22, 2023.
2) Three bids were received on December 19, 2023.
3) Three (3) bids were received; three (3) bids were compliant. W. B. Brawley Company is the lowest responsible, responsive bidder.
4) Todd Warren, Program Manager of Davis and Floyd recommends awarding W. B. Brawley Company.
5) John DeLung Jr., Windy Hill Fire Chief recommends awarding W. B. Brawley Company.

FUNDING FACTORS:
$676,541.00 = Total amount to be funded from account number 327-451-428-000-8600.

OPTIONS:
1) (Recommended) Approve as presented.
2) Provide alternate directive.

ATTACHMENTS:
1) Bid Tabulation.
3) Recommendation Letter from John DeLung Jr., Chief Windy Hill
4) Recommendation Letter from Sam Brockington, Emergency Services Director
## Florence County, South Carolina
### Project: Windy Hill FS No. 3 Additions

**Bid Opening Date:** 12/19/2023  
**Time:** 10:05 a.m.

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Bid Bond (Y/N)</th>
<th>Addendum No. 1 (Y/N)</th>
<th>Primary Bid**</th>
<th>Local 5% Deduction* $15,000 Maximum</th>
<th>Primary Bid w/Local Deduction</th>
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</thead>
<tbody>
<tr>
<td>W. B. Brawley Co. - Cayce, SC</td>
<td>Yes</td>
<td>Yes</td>
<td>$676,541.00</td>
<td>N/A</td>
<td>$676,541.00</td>
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<tr>
<td>Design Build Construction - Ladson, SC</td>
<td>Yes</td>
<td>Yes</td>
<td>$771,038.00</td>
<td>N/A</td>
<td>$771,038.00</td>
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<tr>
<td>Gilbert Construction - Florence, SC</td>
<td>Yes</td>
<td>Yes</td>
<td>$1,317,772.00</td>
<td>-$15,000.00</td>
<td>$1,302,772.00</td>
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**Notes:**
*5% Local Preference-Florence County Code, Section 11.5-39  
**Bid includes sales tax
January 4, 2024

Shannon J. Munoz, MBA, EDFP via e-mail: smunoz@florenceco.org
Florence County Deputy Administrator
180 N. Irby Street, MSC-M (Office 802)
Florence SC 29501

Re: Recommendation of Award
Windy Hill Fire Station #3 Addition
Bid No.: 17-23/24

Dear Ms. Munoz:

On December 19, 2024, *Three* (3) bids on the referenced project were opened and read aloud. The bids have been reviewed. The lowest responsive, responsible bidder for the total Base Bid is WB Brawley Company with a total Base Bid in the amount of $676,541.00.

Based upon a review of their current licensing status with the State, we feel the low bidder is both qualified and competent in performing work associated with the project. Davis & Floyd hereby recommends that the project be awarded to WB Brawley Company in the amount of $676,541.00.

Please advise if you have any questions regarding this matter.

Very truly yours,

DAVIS & FLOYD, INC.

Todd J. Warren
Vice President
Shannon J. Munoz, MBA, EDFP  
Florence County Deputy Administrator  
180 N. Irby Street  
Florence SC, 29506

Re: Windy Hill Fire Department  
Station 3 Expansion Recommendation  
Letter

Ms. Munoz,

I was able to review the bid documents from Florence County Purchasing and I made direct contact with Davis & Floyd Engineers for the expansion of our station 3.

Upon my review and the information provided by Davis & Floyd I do believe that the bid from the WB Brawley Company meets our expectations for the construction of our expansion of our fire station. We, the members of the Windy Hill Volunteer Fire Company hereby recommend the WB Brawley Company be awarded this project for $676,541.00.

If you have any questions or need any further information do not hesitate to call me at 843-601-3214.

Sincerely,

John T. DeLung Jr  
Chief  
Windy Hill Volunteer Fire Company
Mr. Patrick Fletcher, Director  
Florence County Procurement  
180 N. Irby Street, Florence, S C. 29501  
Re: Windy Hill Station Three Building Project  
January 4, 2024  

Dear Patrick:  

After reviewing the information you provided from the bidders for the Windy Hill Station 3 building project and discussion With Chief John DeLung and Mr. Todd Warren, I recommend awarding the bid to the lowest bidder, W. B. Brawley Company.  

Should you have any questions concerning this matter, please do not hesitate to give me a call.  
Thank you for your professional help in this matter.  

Sincerely,  

[Signature]

Samuel K. Brockington  
Coordinator  
Florence County Fire-Rescue  

CC: Shannon Munoz
AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Procurement
Sheriff’s Office

ISSUES UNDER CONSIDERATION: Request For Council To Award Bid No. 29-23/24, Front Entrance Bullet Resistance Glass To San Glo Carolina, Inc. Of Florence, SC In The Amount Of $176,500.00 To Be Funded From Budgeted Funds. (3 Bids Received).

POINTS TO CONSIDER:
1) The Bid was advertised in the South Carolina Business Opportunities (SCBO) Newsletter on December 12, 2023. The bid opening was held on December 21, 2023.
2) Three (3) bids were received; two (2) bids were compliant. The apparent low bidder, Technology International, Inc. of Lake Mary FL did not include taxes and did not submit a bid bond so their bid was rejected. San Glo Carolina is the lowest responsible, responsive bidder.
3) Chief Deputy Tommy Sullivan recommends awarding San Glo Carolina.
4) The bid expires March 21, 2024.

FUNDING FACTORS:
$176,500.00 = Total amount to be funded from budgeted funds under line item 010-421-421-200-8600.

OPTIONS:
1) Award Bid No. 29-23/24 (Recommended).
2) Decline Award.

ATTACHMENTS:
2) Bid Tabulation Sheet.
December 27, 2023

Patrick Fletcher, Director
Florence County Purchasing
180 North Irby Street
County Complex MSC-R
Florence, SC 29501

Dear Patrick,

I have received and reviewed all provided documents related to Bid# 29-23/24, Project: Bullet Resistant Glass with installation for the main entrance to the Florence County Law Enforcement Center.

I am in agreement with your recommendation that we proceed with the compliant low bid from San Glo Carolina, Inc. in the amount of $176,500.00. This bid amount is within our planned budget amount under account #: 10-421-421-200-8600.

Thank you for the assistance you and your staff provided during the bidding of this project. Please let me know if you have any questions or need further from the Sheriff’s Office.

Sincerely,

Thomas F. Sullivan
Chief
<table>
<thead>
<tr>
<th>Company Name of Bidder</th>
<th>Bid Bond (Y/N)</th>
<th>Primary Bid**</th>
<th>Local 5% Deduction* $15,000 Maximum</th>
<th>Primary Bid w/Local Deduction</th>
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<tbody>
<tr>
<td>Technology International, Inc.- Lake Mary, FL***</td>
<td>No</td>
<td>$123,708.00</td>
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<td>$123,708.00</td>
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<tr>
<td>San Glo Carolina, Inc. - Florence, SC*</td>
<td>Yes</td>
<td>$176,500.00</td>
<td>-$8,825.00</td>
<td>$167,675.00</td>
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<td>Henley's Construction - Florence, SC*</td>
<td>Yes</td>
<td>$216,750.00</td>
<td>-$10,837.50</td>
<td>$205,912.50</td>
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</table>

Notes:
*5% Local Preference-Florence County Code, Section 11.5-39
**Bid includes sales tax
***Bid does not include sales tax
AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Public Works Department
Procurement Department

ISSUE UNDER CONSIDERATION: Request For Council To Award Bid No. 31-22/23,
Dist. 8 Resurfacing Project For Greenway Drive In The Amount Of $84,700.00 To C.R.
Jackson Inc. Of Darlington, SC From District 8 Road System Maintenance Fee Funds. (1
Compliant Bid Received).

POINTS TO CONSIDER:
1) The Bid was advertised in the South Carolina Business Opportunities (SCBO)
Newsletter on May 9, 2023. The bid opening was held on May 16, 2023.
2) One (1) bid was received; One (1) bid was compliant. C.R. Jackson Inc. of Darlington,
SC was the only responsible, responsive bidder.
3) Marion Joyner, the Interim Public Works Director, recommends awarding C.R. Jackson
Inc.

FUNDING FACTORS:
$84,700.00 = Funded from Dist. 8 RSMF via account no. 133-441-439-000-9768.

OPTIONS:
1) Award Bid No. 31-22/23 (Recommended).
2) Decline Award.

ATTACHMENTS:
1) Bid Tabulation Sheet.
<table>
<thead>
<tr>
<th>Company Name of Bidder</th>
<th>Bid Bond (Y/N)</th>
<th>Primary Bid**</th>
<th>Maximum Local 5% Deduction*</th>
<th>Primary Bid w/Local Deduction</th>
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</thead>
<tbody>
<tr>
<td>C.R. Jackson Inc. / Darlington, SC</td>
<td>Y</td>
<td>$84,700.00</td>
<td>N/A</td>
<td>$84,700.00</td>
</tr>
</tbody>
</table>

Notes:
*5% Local Preference-Florence County Code, Section 11.5-39
**Bid includes sales tax
MEMO

To: Kevin Yokim  
Florence County Administrator

From: Marion Joyner  
Interim Public Works Director

Date: May 25, 2023

Re: Recommendation for Award of Bid #31-22/23

Bids were received May 16, 2023 for Bid #31-22/23 to resurface Greenway Drive. The road will be resurfaced from Palmetto Street to the back of the bank parking lot on Greenway Drive.

It is my recommendation to award Bid No. 31-22/23 for resurfacing Greenway Drive to C. R. Jackson in the amount of $84,700.00 to be taken from District #8 RSMF Funding.

RMJ/ig
AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Public Works Department
Procurement Department

ISSUE UNDER CONSIDERATION: Request For Council To Award Bid No. 23-23/24, Road Resurfacing for Dist. 8 Roads In The Amount Of $492,853.75 To C.R. Jackson, Inc. Of Florence, SC From CPST III-A Funds. (3 Compliant Bids Received).

POINTS TO CONSIDER:
1) The Bids were advertised in the South Carolina Business Opportunities (SCBO) Newsletter on October 17, 2023. The bid opening was held on October 31, 2023.
2) Three (3) bids were received; Three (3) bids were compliant. C.R. Jackson, Inc. of Florence, SC is the lowest responsible, responsive bidder.
3) Steven H. Allen, the Public Works Director, recommends awarding C.R. Jackson, Inc.
4) The bid expires January 31, 2024.

FUNDING FACTORS:
$492,853.75 = Funded from CPST III-A funds.

OPTIONS:
1) Award Bid No. 23-23/24 (Recommended).
2) Decline Award.

ATTACHMENTS:
1) Bid Tabulation Sheet.
2) Bid Recommendation Memo from Todd Warren, Davis & Floyd, dated January 04, 2024.
<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Bid Bond (Y/N)</th>
<th>Addendum No. 1 (Y/N)</th>
<th>Submitted Bid**</th>
<th>Local 5% Deduction* $15,000 Maximum</th>
<th>Primary Bid w/Local Deduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>C. R. Jackson, Inc. - Florence, SC</td>
<td>Yes</td>
<td>Yes</td>
<td>$492,853.75</td>
<td>N/A</td>
<td>$492,853.75</td>
</tr>
<tr>
<td>Chipley Company, Inc. - Florence, SC</td>
<td>Yes</td>
<td>Yes</td>
<td>$528,370.00</td>
<td>N/A</td>
<td>$528,370.00</td>
</tr>
<tr>
<td>Palmetto Corp. - Florence, SC</td>
<td>Yes</td>
<td>Yes</td>
<td>$584,554.50</td>
<td>N/A</td>
<td>$584,554.50</td>
</tr>
</tbody>
</table>

**Notes:**
*5% Local Preference-Florence County Code, Section 11.5-39
**Bid includes sales tax
Memorandum – January 4, 2024

To: Kevin Yokim  
Florence County Administrator

From: Todd Warren  
CPST III Program Administrator

Re: Recommendation for Award of Bid # 23-23/24

Bids were received October 31, 2023, for resurfacing of the following roads in District 8 as part of the CPST IIIA Program.

<table>
<thead>
<tr>
<th>Road</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andover Rd</td>
<td>$106,715.00</td>
</tr>
<tr>
<td>W. Keswick Rd</td>
<td>$94,730.00</td>
</tr>
<tr>
<td>W. Newcastle Rd</td>
<td>$106,040.00</td>
</tr>
<tr>
<td>Edgefield Rd</td>
<td>$105,668.75</td>
</tr>
<tr>
<td>Greenway Dr</td>
<td>$79,700.00</td>
</tr>
</tbody>
</table>

Bid Total $492,853.75

I recommend for Council to Award Bid No. 23-23/24 for Resurfacing, to CR Jackson in the amount of $492,853.75.
AGENDA ITEM: Reports to Council
Declaration of Surplus Property

DEPARTMENT: Fire Rescue Services
Unified Fire District

ISSUE UNDER CONSIDERATION:
Declaration Of One (1) 2003 Ford Brush Truck (VIN: 1FTSF31P73EC02314) As Surplus Property To Be Sold By The Most Advantageous Method With Funds To Be Placed In Fund 37 To Be Utilized By Windy Hill Fire Department.

POINTS TO CONSIDER:
1. The brush truck is obsolete to the Windy Hill Fire Department. Disposal of the above stated item will not impact on-going operations.
2. Florence County Code requires County Council approval for disposal of surplus property.

FUNDING FACTORS:
$0=Cost of disposal.

OPTIONS:
1. (Recommended) Approve as presented.
2. Provide alternate instructions.

ATTACHMENTS:
Email from Sam Brockington Dated December 4, 2023.
Email from Chief John Delung, Windy Hill Fire Dated December 1, 2023.
Shannon,

Chief DeLung would like to have a 2003 Ford F350 Brush Truck, Vin number: 1FTSF31P73EC02314, declared surplus. Please assist him in this matter let me know should you have any questions.

Thanks,

Sam

SAMUEL K. BROCKINGTON, JR.
FIRE/RESCUE SERVICES COORDINATOR

COUNTY COMPLEX
180 N. IRBY STREET, MSC-G
FLORENCE, SC 29501

843-292-1604 Office
843-665-3042 Fax
843-598-2112 Cell

Email: sbrockington@florenceco.org
From: John Delung <jdelung@windyhillfire.com>
Sent: Friday, December 1, 2023 2:26 PM
To: Samuel K. Brockington <sbrockington@florenceco.org>
Subject: RE: Surplus Vehicles

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sam

I would like to surplus the following Vehicle, that we can dispose of it the best for the department.

2003 F350 VIN – 1FTSF31P73ECO2314

Thanks,

John
AGENDA ITEM: Report to Council

DEPARTMENT: Florence County Human Resources

ISSUE UNDER CONSIDERATION:
The Florence County Human Resources Director is requesting Council to authorize a budget-neutral pay adjustment for slot #005 utilizing FY2023/24 Administration Department budgeted funds in the amount of $5,000.

POINTS TO CONSIDER:
1. The employee’s job performance, work knowledge, and experience merits and justifies this request.
2. This position’s job description was merely clerical in nature and consisted of posting job notices and processing timesheet leave balances.
3. This Employee Relations Specialist position is responsible for:
   a. Reviewing and creating all job descriptions.
   b. Creating and managing interview schedule.
   c. Creating and maintaining an accurate turnover report.
   d. Serving as primary staff member for County’s compensation structure.
4. This increase aligns with the department’s vision to transition the payroll focus of the department to a true Human Resources focus that will concentrate on employee development.

FUNDING FACTORS:
1. No additional funding will be required, this pay adjustment will be funded from the current year’s salary savings from vacancies.
2. A budget adjustment will be made to accommodate this increase in the upcoming FY24/25 budget.

OPTIONS:
1. (Recommended) Approve the requested pay adjustment.
2. Provide an alternate directive.
**FLORENCE COUNTY COUNCIL MEETING**  
**JANUARY 18, 2024**

**AGENDA ITEM:** Other Business  
Infrastructure - Council District 2

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**
Council Is Requested To Approve The Expenditure Of Not To Exceed $13,000.00 From Council District 2 Infrastructure Allocation Funding To Purchase Two Fire Hydrants To Be Installed By The City Of Johnsonville. The Hydrants Will Be Located At Pert Industries.

**FUNDING FACTORS:**

<table>
<thead>
<tr>
<th>Infrastructure</th>
<th>Road System Maintenance Fee</th>
<th>Utility</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>xx</strong></td>
<td>____________</td>
<td>_______</td>
</tr>
<tr>
<td>Amount: $_______</td>
<td>$ 13,000.00</td>
<td>$________</td>
</tr>
<tr>
<td>Signed: ____________</td>
<td>__________________________</td>
<td>__________</td>
</tr>
<tr>
<td>Jason M. Springs</td>
<td>Roger M. Poston</td>
<td>Dr. Alphonso Bradley</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Road System Maintenance Fee</th>
<th>Infrastructure</th>
<th>Utility</th>
</tr>
</thead>
<tbody>
<tr>
<td>____________</td>
<td>____________</td>
<td>_______</td>
</tr>
<tr>
<td>Amount: $_______</td>
<td>$_________</td>
<td>$________</td>
</tr>
<tr>
<td>Signed: ____________</td>
<td>__________________________</td>
<td>__________</td>
</tr>
<tr>
<td>Jerry W. Yarborough, Jr.</td>
<td>Kent C. Caudle</td>
<td>Stoney C. Moore</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Utility</th>
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<th>Infrastructure</th>
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</thead>
<tbody>
<tr>
<td>_______</td>
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</tr>
<tr>
<td>Amount: $_______</td>
<td>$_________</td>
<td>$_________</td>
</tr>
<tr>
<td>Signed: ____________</td>
<td>__________________________</td>
<td>__________</td>
</tr>
<tr>
<td>Waymon Mumford</td>
<td>William Schofield</td>
<td>Willard Dorriety, Jr.</td>
</tr>
</tbody>
</table>

**ATTACHMENTS:**  
NONE

I, Hope M Jones, 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.

__________________________________________
Hope M. Jones, Clerk to Council
FLORENCE COUNTY COUNCIL MEETING

January 18, 2024

AGENDA ITEM:

Bluff Road MBC Stone

DEPARTMENT:

Florence County Public Works

ISSUE UNDER CONSIDERATION:

Council is requested to approve the expenditure of not to exceed $7,500.00 from Council District #2 Funding for 200 tons of MBC Stone to be put on Bluff Road going to the Landing.

FUNDING SOURCE:

[ ] Infrastructure
[ ] Road System Maintenance
[ ] Utility

SIGNED:

Council Member: Roger Poston
District #2

[Signature]

Steve Allen
Public Works Director

Date: 1-5-24

ATTACHMENTS:

I, Hope M. Jones, 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.

Hope M. Jones
Clerk to Council
FLORENCE COUNTY COUNCIL MEETING
January 18, 2024

AGENDA ITEM:
N. Keith Street

DEPARTMENT:
Florence County Public Works

ISSUE UNDER CONSIDERATION:
Council is requested to approve the expenditure not to exceed $7,000.00 from Council District #4 Funding to Palmetto Mining for MBC stone to be put on N. Keith Street, Timmonsville, SC.

FUNDING SOURCE:

- Infrastructure
- Road System Maintenance
- Utility

SIGNED:
Councilmember: Jerry Yarborough
District #4

Date: ____________________________

Steve Allen
Public Works Director

Date: 1-5-24

ATTACHMENTS:
None

I, Hope M. Jones, 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.

Hope M. Jones
Clerk to Council