

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
July 25, 2023  
PC#2023-24**

**SUBJECT:** Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 28.6, LAND DEVELOPMENT AND SUBDIVISION ORDINANCE, ARTICLE V- MINIMUM LAND PLANNING STANDARDS AND REQUIRED IMPROVEMENTS FOR SUBDIVISIONS AND OTHER LAND DEVELOPMENTS, Sec. 28.6-85 – Small family and private developments (one to six lots).

**APPLICANT:** Florence County

**Staff Analysis:**

The intent of this text amendment is to update the Florence County Ordinance to provide clarification on the requirements of a small family development and to also establish standards for private developments which are less than six lots.

The Florence County Code Of Ordinances, Chapter 28.6, LAND DEVELOPMENT AND SUBDIVISION ORDINANCE, ARTICLE V. – MINIMUM LAND PLANNING STANDARDS AND REQUIRED IMPROVEMENTS FOR SUBDIVISIONS AND OTHER LAND DEVELOPMENTS, Sec. 28.6-85 – Small family and private developments (one to six lots). Shall be amended to read as follows:

Sec. 28.6-85 Small family and private developments (~~one to six lots~~). (six lots or less)

- (a) *Roadways*. All roads shall be privately maintained and shall be the property of the homeowner's association or sole responsibility of the affected property owners. The roadways shall be held in common and an assessment established for the perpetual maintenance of the roadway and improvements. The roadway must be 18 feet wide and have a three-inch slag or stone base. This provision is waived for family developments and for subdivisions of land that will not result in the roadway serving more than two lots. All roadways shall originate at a public road at one end only, to eliminate through traffic. If the roadway ties to a county-maintained road a 50-foot-wide access easement is required. In un-zoned areas, a 30-foot-wide easement may be accepted by planning commission staff where such roads serve only a single-family lot not to exceed one acre. In any case, every parcel shall have a minimum width of 50 feet on the side that fronts the easement/roadway. If it ties to a state road it must comply with the standards of the state department of transportation.
- (b) *Recordable plats*. Recordable plats shall be required showing the development lot layout, tax parcel being derived from wetlands and/or natural drainage ways. The plat shall contain the following statement:

"The road or driveway providing access to the lots in the development is private and not maintained by the county. Property owners must maintain access suitable for emergency vehicles."

- (1) Plats which are developed for single lots, whereas only one lot is allowed to be served by a 30-foot-wide easement, the plat shall contain the following statement:

"The road or driveway providing access to the single lot is private and not maintained by Florence County. The property owners must maintain access suitable for emergency vehicles. This road/easement shall serve only one single parcel, not more than one acre in size and no further subdivision or addition to such parcel will be permitted."

- (c) *Setbacks.* Setbacks outline designated open spaces on the lot. These spaces are to be linear distances measured from property lines inward. Building or other principle structures comprising the activity of the lot may not intrude on this area. Two types of setbacks exist for this lot; either a road right-of-way at the front lot line, or at the side lot property line. A setback may accept an accessory activity such as parking unless otherwise provided in the chapter. Lot road frontage lengths are to be a minimum of 50 feet measured from the front line. Except as may be permitted in accordance with section 28.6-85. Setbacks shall meet the applicable prescriptive requirements as prescribed for the applicable zoning district as defined in section 30-30 for zoned districts and section 30-111 for all properties in unzoned districts.

- (d) *Lots.* Each lot may contain only one single-family residence. Lots that have access to public utilities (water and/or sewer) are required to have a written statement from the appropriate utility. If lots will utilize a septic tank and drinking water well, permits must be secured from the state department of health and environmental control, however if no percolation test is provided the plat will be stamped with the following:

"NO PERK TEST HAS BEEN PERFORMED ON THIS PROPERTY."

The plat may be resubmitted for removal of the stamp if and when a successful percolation test has been completed.

The exemption does not apply for permits for the construction of buildings requiring a sewer system or the placement of mobile/manufactured homes on the property.

- (e) *Signage.* The owner shall conspicuously place a sign on the driveway near the entrance stating the E-911 street address.

- (f) Small family developments are those where a subdivision occurs for the dispersion of land amongst family members and the potential development thereof. Florence County makes no guarantee nor bears any responsibility for any improvements or the lack thereof. Each plat seeking the small family development exemption shall be legibly marked by the surveyor of record with the following statement:

"SMALL DEVELOPMENT ONLY"

- (g) Private developments are subdivisions whose lots are intended for sale, trade or transfer whether public or private. The owner, agent or developer seeking approval of a private development subdivision shall provide an analysis from a South Carolina Licensed Engineer (SCLE). The SCLE shall determine whether the development of said land with

the allowed uses will not cause storm drainage concerns for the properties being developed or the surrounding properties. Such concerns are, but not limited to, improper drainage that would impact building construction, sewage disposal, site flooding, or off-site run-off that exceeds pre-development rates.

- (1) If the SCLE finds that improvements are necessary, the improvements must be completed prior to the approval of the subdivision's plat.
- (2) In lieu of the completion of all improvements, the SCLE may provide a plan that includes the phasing of improvements that coincide with the progression of the site's development and home construction. Such plans must be approved by planning commission staff. Planning commission staff shall have the right to require additional information from the SCLE when the land's topography, flood hazards, or other drainage concerns warrant such additional information.
  - (i) If the subdivision's plat is approved with these given conditions, building permits and other development-related permits shall be withheld until such improvements are made in accordance with the approved phased plan.
  - (ii) The scope and details of such SCLE analysis and/or plan will be determined by the specifics of each site.
- (3) Subdivision plats that are approved with phased improvement requirements shall be legibly marked by the surveyor of record with the following statement:

“THIS SUBDIVISION IS APPROVED WITH CONDITIONS ON THE ISSUANCE OF BUILDING PERMITS AND OTHER DEVELOPMENT RELATED PERMITS. RECORD OF SUCH CONDITIONS MAY BE INCLUDED IN THE TITLE/DEED OF SAID PROPERTY AND SHALL BE RETAINED ON FILE WITH THE FLORENCE COUNTY PLANNING COMMISSION OFFICE.”

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Sec. 28.6-85 Small family and private developments (six lots or less)

- (a) *Roadways.* All roads shall be privately maintained and shall be the property of the homeowner's association or sole responsibility of the affected property owners. The roadways shall be held in common and an assessment established for the perpetual maintenance of the roadway and improvements. The roadway must be 18 feet wide and have a three-inch slag or stone base. This provision is waived for family developments and for subdivisions of land that will not result in the roadway serving more than two lots. All roadways shall originate at a public road at one end only, to eliminate through traffic. If the roadway ties to a county-maintained road a 50-foot-wide access easement is required. In un-zoned areas, a 30-foot-wide easement may be accepted by planning commission staff where such roads serve only a single-family lot not to exceed one acre. In any case, every parcel shall have a minimum width of 50 feet on the side that fronts the easement/roadway. If it ties to a state road it must comply with the standards of the state department of transportation.
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"The road or driveway providing access to the lots in the development is private and not maintained by the county. Property owners must maintain access suitable for emergency vehicles."

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- (c) *Setbacks.* Setbacks outline designated open spaces on the lot. These spaces are to be linear distances measured from property lines inward. Building or other principle structures comprising the activity of the lot may not intrude on this area. Two types of setbacks exist for this lot; either a road right-of-way at the front lot line, or at the side lot property line. A setback may accept an accessory activity such as parking unless otherwise provided in the chapter. Lot road frontage lengths are to be a minimum of 50 feet measured from the front line. Except as may be permitted in accordance with section 28.6-85. Setbacks shall meet the applicable prescriptive requirements as prescribed for the applicable zoning district as defined in section 30-30 for zoned districts and section 30-111 for all properties in unzoned districts.

- (d) *Lots.* Each lot may contain only one single-family residence. Lots that have access to public utilities (water and/or sewer) are required to have a written statement from the appropriate utility. If lots will utilize a septic tank and drinking water well, permits must be secured from the state department of health and environmental control, however if no percolation test is provided the plat will be stamped with the following:

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The exemption does not apply for permits for the construction of buildings requiring a sewer system or the placement of mobile/manufactured homes on the property.

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- (f) Small family developments are those where a subdivision occurs for the dispersion of land amongst family members and the potential development thereof. Florence County makes no guarantee nor bears any responsibility for any improvements or the lack thereof. Each plat seeking the small family development exemption shall be legibly marked by the surveyor of record with the following statement:

"SMALL DEVELOPMENT ONLY"

- (g) Private developments are subdivisions whose lots are intended for sale, trade or transfer whether public or private. The owner, agent or developer seeking approval of a private development subdivision shall provide an analysis from a South Carolina Licensed Engineer (SCLE). The SCLE shall determine whether the development of said land with

the allowed uses will not cause storm drainage concerns for the properties being developed or the surrounding properties. Such concerns are, but not limited to, improper drainage that would impact building construction, sewage disposal, site flooding, or off-site run-off that exceeds pre-development rates.

- (1) If the SCLE finds that improvements are necessary, the improvements must be completed prior to the approval of the subdivision's plat.
- (2) In lieu of the completion of all improvements, the SCLE may provide a plan that includes the phasing of improvements that coincide with the progression of the site's development and home construction. Such plans must be approved by planning commission staff. Planning commission staff shall have the right to require additional information from the SCLE when the land's topography, flood hazards, or other drainage concerns warrant such additional information.
  - (i) If the subdivision's plat is approved with these given conditions, building permits and other development-related permits shall be withheld until such improvements are made in accordance with the approved phased plan.
  - (ii) The scope and details of such SCLE analysis and/or plan will be determined by the specifics of each site.
- (3) Subdivision plats that are approved with phased improvement requirements shall be legibly marked by the surveyor of record with the following statement:

“THIS SUBDIVISION IS APPROVED WITH CONDITIONS ON THE ISSUANCE OF BUILDING PERMITS AND OTHER DEVELOPMENT RELATED PERMITS. RECORD OF SUCH CONDITIONS MAY BE INCLUDED IN THE TITLE/DEED OF SAID PROPERTY AND SHALL BE RETAINED ON FILE WITH THE FLORENCE COUNTY PLANNING COMMISSION OFFICE.”

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FLORENCE COUNTY PLANNING COMMISSION  
July 25, 2023  
PC#2023-25**

**SUBJECT:** Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III. – CONDITIONAL USE REGULATIONS, Sec.30-111 – Development standards for unzoned areas.

**APPLICANT:** Florence County

**Staff Analysis:**

The intent of this text amendment is to update the Florence County Ordinance in order to provide more consistent development standards across the County by eliminating separate bufferyard requirements for the unzoned area; and referring them to Section 30-121 – Bufferyards.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III. – CONDITIONAL USE REGULATIONS, Sec.30-111 – Development standards for unzoned areas. Shall be amended to read as follows:

**ARTICLE III. – CONDITIONAL USE REGULATIONS**

**Sec. 30-111. – Development standards for unzoned areas.**

Any new construction or additions for commercial or industrial property in unzoned areas of Florence County must comply with the following development standards unless otherwise stated.

(1) Definitions.

*Commercial or office uses* are those uses that provide sales or services to the public with a smaller impact than that of a shopping center. This includes shopping centers with a floor area of 250,000 square feet or less. These would include but are not limited to:

- a. Hotels, motels, and inns.
- b. Multi-family projects.
- c. Eating places and drinking places.
- d. All other organizations.

*Industrial uses* are those which produce or sell products on a large scale. These would include but are not limited to:

- a. Manufacturing.
- b. Shopping centers or office parks with a floor area of greater than 250,000 square feet.
- c. Flea markets.
- d. Whole trade.
- e. Mining.

*Heavy industrial uses* are those which have a potential for negative impact on uses close to them. These uses sometimes have severe potential for generation of odor and may involve large amounts of storage. These uses have 200,000 square feet or more of combined floor area or more than 500 employees on any shift.

*Light industrial uses* are those that are generally not objectionable because of noise, heavy truck traffic or fumes, or generate nuisances. ~~T~~hese are uses with less than 200,000 square feet of combined floor area or fewer than 500 employees on a shift.

*Institutional uses* are those uses that are supportive foundations of a society. These would include but are not limited to:

- a. Churches.
- b. Banks.
- c. Schools.
- d. Hospitals.
- e. Public administration.
- f. Libraries and museums.

*Warehousing uses* are primarily engaged in storing goods and keeping them secure. There are no sales on the premises.

(2) *Minimum lot dimensions.*

- a. Five thousand square feet for commercial and office (following the B-3, general commercial district guidelines set forth in [section 30-30](#), Table III).
- b. Ten thousand square feet for industrial (following the B-5, office and light industrial district; and B-6, industrial district guidelines set forth in [section 30-30](#), Table III).



- c. Ten acres for industrial use.
- d. Ten acres for sanitary landfill, incinerator, and dump sites.
- e. Two acres for transfer stations.
- f. One acre for convenience centers or drop-off centers.
- g. The lot width of the parcel must be in accordance with the Florence County Land Development and Subdivision Ordinance.
- h. The zoning administrator shall be authorized to modify or waive lot dimension requirements if it is determined that:
  - 1. The parcel is a prerecorded lot and sold for the intention of commercial or industrial use.
  - 2. All other requirements can be met.

(3) *Off-street parking requirements.* The number of off-street parking spaces required are shown on Table II, of the Zoning Ordinance. The following shall be a supplement to those requirements.

- a. Where applications of the requirements of Table II result in a fraction space requirement, the next larger requirement shall apply.
- b. Where a building or use is changed or enlarged in floor area, number of dwelling units, seating capacity or otherwise to create a need for an increase of ten percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
- c. Off-street parking areas provided to comply with the provisions of this chapter shall not be reduced below the requirements of this chapter.
- d. Off-street parking shall have direct access to a street or alley, and shall be designed, developed, and maintained in accordance with the requirements of this article.
- e. Required off-street parking must be provided on the same lot or parcel as the principal use for which it is required.
- f. Parking spaces shall be not less than nine feet by 19 feet, except that a maximum of ten percent of the total number of spaces may be eight and one-half feet by 18 feet. Minimum isle width shall be as follows:

90 degree parking	60 degree parking	45 degree parking	30 degree parking
22 feet	18 feet	13 feet	11 feet

- g. Parking lot construction shall be designed to minimize off-street storm water run off. Parking lots shall be designed so as not to drain into or across public sidewalks or on to adjacent property, except into a natural watercourse or a drainage easement. In developed areas where this condition may be impossible to meet, the zoning administrator may exempt the developer from this requirement, provided that adequate provision is made for drainage.
- h. Off street parking spaces shall be separated from walkways, sidewalks, streets, or alleys, and required yards and buffer areas by a wall fence, curbing, or other protective device approved by the zoning administrator, and illustrated by section 30-166.
- i. All off-street parking areas shall be designed so that all movement onto a public street is in a forward motion.
- j. Parking lots containing ten or more spaces shall be marked by painted lines, curbs, or other means to indicate individual spaces.
- k. Adequate lighting shall be provided. Equipment for lighting parking facilities shall be arranged so that light does not interfere with traffic or adjoining residential areas.
- l. Parking spaces for the mobility impaired must comply with [section 30-225](#) of this chapter.
- m. Information formally included here shall be deleted.
- n. Where more than one principal use occupies the same building or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- o. All off-street loading spaces shall be arranged so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street, walk, alley, or private street.

~~(4) *Bufferyard requirements.* Bufferyards shall be provided per Section 30-121 of this chapter, along the outer perimeter of a lot or parcel, extending to the parcel boundary line. Table II explains the plant requirements for each bufferyard type. Bufferyards shall not be located on any portion of an existing public or private street or right-of-way.~~

**TABLE I EXISTING ADJACENT USES**

Proposed Land Use	Single Family Use on residential streets	Multi-family and all other residential uses	Manufactured Home Parks	Office and Commercial	Industrial	Institutional
<b>Office and Commercial Uses</b>						
Less than .35 floor area ratio	B	A	A	*	*	B
Mini Warehouses	B	A	A	*	*	B
.35 to 1.00 floor area ratio	C	B	B	*	*	B
1.00 floor area ratio or greater and shopping centers or office parks 250,000 square feet or less.	E	E	D	*	*	B
Convenience center or drop-off center	C	C	C	*	*	B
<b>Industrial Use</b>						
Light	E	E	C	B	*	E
Heavy	F	F	D	C	*	F
Sanitary landfill, incinerator, and dump sites	F	E	D	C	*	F
Transfer stations, communication towers & antennas	F	E	D	C	*	F
Mechanized vehicle race and testing tracks	F	E	D	C	*	F
Mining and extraction operations	F	E	D	C	*	F
<b>Institutional</b>	B	B	A	*	*	*
<b>Warehouse</b>	F	F	D	C	*	F

\* No bufferyard required.

TABLE II

Standard	Bufferyard Type					
	A	B	C	D	E	F
<b>Minimum Buffer Depth</b> (feet from property line)	5	10	15	20	30	100
<b>Minimum Land Use Buffer Landscaping</b> (plants per 100 linear feet)						
Canopy trees	2	3	4	5	6	4
Understory trees	2	6	6	7.5	9	6
Shrubs	3	9	24	30	30	30
Evergreens/conifers	3	6	12	15	15	12
Structure	None	4' Wood Stockade	6' Wood Stockade	6' Wood Stockade	6' Wood Stockade or Earthen Berm	6' Wood Stockade

~~a. \_\_\_\_\_~~

~~The zoning administrator shall be authorized to modify or waive bufferyard requirements if it is determined that:~~

~~1. Buffer will not serve any useful purpose due to the fact that fence, walls, berms, or landscaping of at least equivalent height, opacity, and maintenance already exist on the adjacent parcel;~~

~~2. Buffers will not serve any useful purpose due to the location of uses, vehicle, buildings, structures, or storage, loading display, or service area; or~~

~~3. The area of required bufferyard would exceed 25 percent of the site proposed for development.~~

~~b. Screening shall be required on all open storage areas not devoted to retail sales visible from any public street, including open storage areas for shipping containers, building materials, appliances, trash containers of four or more cubic yards, salvage materials, and similar enclosed uses.~~

~~1. Screening shall be accomplished by an opaque divide not less than six feet high or the height of the object to be screened, whichever is greater. Screening may be accomplished by the use of sight obscuring plant materials, earth berms, walls, fences, proper siting of disruptive elements, building placement or other design techniques approved by the zoning administrator.~~

(5) *Landscaping requirements.*

- a. A perimeter landscaped area of at least five feet in depth shall be provided at the perimeter of all off-street parking, loading, and vehicular use areas.
- b. Within, the interior, peninsula or island type landscaped areas shall be provided for any open vehicular area containing 20 or more parking spaces.

Use	Institutional	Industrial/wholesale/storage	Office	Commercial-retail-service	Multi-family Projects
% of parcel	15%	10%	10%	5%	10%

(6) *Certain uses and industrial projects.*

a. *Sanitary landfill, incinerator, dump sites, transfer stations and communication towers and antennas.*

- 1. One thousand five hundred feet from an existing use.
- 2. Proposed facilities shall have direct access off a collector or arterial street.
- 3. Shall be enclosed on all sides by an opaque cycle fence.
- 4. No waste material capable of being blown from the site shall remain uncovered or unsecured at the end of a workday.
- 5. When the site is full or no longer in operation, it shall be fully restored and revegetated where applicable.

b. *Convenience centers or drop-off centers.*

- 1. The active waste handling area of a solid waste processing facility shall not extend closer than 200 feet to residences, schools, hospitals and recreational park areas.
- 2. Proposed facilities shall have direct access off a collector or arterial street.
- 3. No waste material capable of being blown from the site shall remain uncovered or unsecured at the end of a workday.

c. *Mechanized vehicle race and testing tracks.*

- 1. Two thousand five hundred feet from any residential use.
- 2. Dirt tracks shall be no closer than one mile from any residential use.
- 3. Proposed facilities shall have direct access off a collector or arterial street.

d. *Mining and extraction operations.*

1. Mines greater than five acres shall be not less than 300 feet from the property line. Such mines shall not be less than 500 feet from the nearest residential use and not less than 1,000 feet from an obvious place where children may be present such as: schools, playgrounds, and daycares, etc.
2. Mines five acres or less shall be 100 feet from any residential use. And not less than 50 feet from property line.
3. A buffer shall be provided, that complies with the twenty foot bufferyard requirement of section 30- 121 Bufferyard Type D. -section 30-111 Table II, Type D Buffer along the margins of the excavation site to reduce sedimentation and air borne debris.
4. Proposed facilities shall have direct access off a collector or arterial street.
5. Mine sites greater than five acres shall have a permanent sign installed in plain view of the mine's vehicular entrance. Such signs shall be not less than nine square feet and state that the referenced property is a mining operation with contact information for emergency purposes.
6. 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 7:00 a.m. and 5:00 p.m. Monday—Friday excluding county observed holidays.

e. *Automotive wrecking, salvage, and junk yards.*

1. Five hundred feet from any residential use, church, school, historic place, or public park.
2. No material shall be placed in open storage in such a manner that it is capable of being transferred out by wind, water or other causes.
3. All material and activities not within fully enclosed buildings shall be enclosed by a six-foot wood stockade fence, on all sides visible from the road or street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.

f. *Mini-warehouses.*

1. Maximum two acres.
2. Limited to covering 50 percent of the total parcel.
3. Vehicular ingress-egress shall be limited to one point for each side of the property abutting any street.

*g. Flea markets and yard sales.*

1. 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.

*(7) Setbacks.*

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/warehousing/storage	25'	50'	50'
Office/institutional	25'	20'	20'
All other uses	25'	5'	5'

- 8) *Signs.* Ten-foot setback from any property line. This is in addition to the regulations in article V of the Zoning Ordinance.

- 9) *Site plan requirements.* Site plan showing the proposed commercial and/or industrial use with all requirements of this section shall be required along with the application requirements of [section 30-267\(c\)](#) of the Zoning Ordinance.

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*Warehousing uses* are primarily engaged in storing goods and keeping them secure. There are no sales on the premises.

(2) *Minimum lot dimensions.*

- a. Five thousand square feet for commercial and office (following the B-3, general commercial district guidelines set forth in [section 30-30](#), Table III).
- b. Ten thousand square feet for industrial (following the B-5, office and light industrial district; and B-6, industrial district guidelines set forth in [section 30-30](#), Table III).

- c. Ten acres for industrial use.
- d. Ten acres for sanitary landfill, incinerator, and dump sites.
- e. Two acres for transfer stations.
- f. One acre for convenience centers or drop-off centers.
- g. The lot width of the parcel must be in accordance with the Florence County Land Development and Subdivision Ordinance.
- h. The zoning administrator shall be authorized to modify or waive lot dimension requirements if it is determined that:
  - 1. The parcel is a prerecorded lot and sold for the intention of commercial or industrial use.
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(3) *Off-street parking requirements.* The number of off-street parking spaces required are shown on Table II, of the Zoning Ordinance. The following shall be a supplement to those requirements.

- a. Where applications of the requirements of Table II result in a fraction space requirement, the next larger requirement shall apply.
- b. Where a building or use is changed or enlarged in floor area, number of dwelling units, seating capacity or otherwise to create a need for an increase of ten percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
- c. Off-street parking areas provided to comply with the provisions of this chapter shall not be reduced below the requirements of this chapter.
- d. Off-street parking shall have direct access to a street or alley, and shall be designed, developed, and maintained in accordance with the requirements of this article.
- e. Required off-street parking must be provided on the same lot or parcel as the principal use for which it is required.
- f. Parking spaces shall be not less than nine feet by 19 feet, except that a maximum of ten percent of the total number of spaces may be eight and one-half feet by 18 feet. Minimum isle width shall be as follows:

90 degree parking	60 degree parking	45 degree parking	30 degree parking
22 feet	18 feet	13 feet	11 feet

- g. Parking lot construction shall be designed to minimize off-street storm water run off. Parking lots shall be designed so as not to drain into or across public sidewalks or on to adjacent property, except into a natural watercourse or a drainage easement. In developed areas where this condition may be impossible to meet, the zoning administrator may exempt the developer from this requirement, provided that adequate provision is made for drainage.
- h. Off street parking spaces shall be separated from walkways, sidewalks, streets, or alleys, and required yards and buffer areas by a wall fence, curbing, or other protective device approved by the zoning administrator, and illustrated by section 30-166.
- i. All off-street parking areas shall be designed so that all movement onto a public street is in a forward motion.
- j. Parking lots containing ten or more spaces shall be marked by painted lines, curbs, or other means to indicate individual spaces.
- k. Adequate lighting shall be provided. Equipment for lighting parking facilities shall be arranged so that light does not interfere with traffic or adjoining residential areas.
- l. Parking spaces for the mobility impaired must comply with [section 30-225](#) of this chapter.
- m. Information formally included here shall be deleted.
- n. Where more than one principal use occupies the same building or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- o. All off-street loading spaces shall be arranged so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street, walk, alley, or private street.

Bufferyards shall be provided per Section 30-121 of this chapter.

*(5) Landscaping requirements.*

- a. A perimeter landscaped area of at least five feet in depth shall be provided at the perimeter of all off-street parking, loading, and vehicular use areas.

b. Within, the interior, peninsula or island type landscaped areas shall be provided for any open vehicular area containing 20 or more parking spaces.

Use	Institutional	Industrial/wholesale/storage	Office	Commercial-retail-service	Multi-family Projects
% of parcel	15%	10%	10%	5%	10%

(6) *Certain uses and industrial projects.*

a. *Sanitary landfill, incinerator, dump sites, transfer stations and communication towers and antennas.*

1. One thousand five hundred feet from an existing use.
2. Proposed facilities shall have direct access off a collector or arterial street.
3. Shall be enclosed on all sides by an opaque cycle fence.
4. No waste material capable of being blown from the site shall remain uncovered or unsecured at the end of a workday.
5. When the site is full or no longer in operation, it shall be fully restored and revegetated where applicable.

b. *Convenience centers or drop-off centers.*

1. The active waste handling area of a solid waste processing facility shall not extend closer than 200 feet to residences, schools, hospitals and recreational park areas.
2. Proposed facilities shall have direct access off a collector or arterial street.
3. No waste material capable of being blown from the site shall remain uncovered or unsecured at the end of a workday.

c. *Mechanized vehicle race and testing tracks.*

1. Two thousand five hundred feet from any residential use.
2. Dirt tracks shall be no closer than one mile from any residential use.
3. Proposed facilities shall have direct access off a collector or arterial street.

d. *Mining and extraction operations.*

1. Mines greater than five acres shall be not less than 300 feet from the property line. Such mines shall not be less than 500 feet from the nearest residential use and not less than 1,000 feet from an obvious place where children may be present such as: schools, playgrounds, and daycares, etc.
  2. Mines five acres or less shall be 100 feet from any residential use. And not less than 50 feet from property line.
  3. A buffer shall be provided, that complies with the twenty foot bufferyard requirement of section 30- 121 Bufferyard Type D.
  4. Proposed facilities shall have direct access off a collector or arterial street.
  5. Mine sites greater than five acres shall have a permanent sign installed in plain view of the mine's vehicular entrance. Such signs shall be not less than nine square feet and state that the referenced property is a mining operation with contact information for emergency purposes.
  6. 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 7:00 a.m. and 5:00 p.m. Monday—Friday excluding county observed holidays.
- e. *Automotive wrecking, salvage, and junk yards.*
1. Five hundred feet from any residential use, church, school, historic place, or public park.
  2. No material shall be placed in open storage in such a manner that it is capable of being transferred out by wind, water or other causes.
  3. All material and activities not within fully enclosed buildings shall be enclosed by a six-foot wood stockade fence, on all sides visible from the road or street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.
- f. *Mini-warehouses.*
1. Maximum two acres.
  2. Limited to covering 50 percent of the total parcel.
  3. Vehicular ingress-egress shall be limited to one point for each side of the property abutting any street.
- g. *Flea markets and yard sales.*

1. 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.

(7) *Setbacks.*

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/warehousing/storage	25'	50'	50'
Office/institutional	25'	20'	20'
All other uses	25'	5'	5'

- 8) *Signs.* Ten-foot setback from any property line. This is in addition to the regulations in article V of the Zoning Ordinance.

- (9) *Site plan requirements.* Site plan showing the proposed commercial and/or industrial use with all requirements of this section shall be required along with the application requirements of [section 30-267\(c\)](#) of the Zoning Ordinance.

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
July 25, 2023  
PC#2023-26**

**SUBJECT:** Request for Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III. – CONDITIONAL USE AND REGULATIONS.

**APPLICANT:** Florence County

**Staff Analysis:**

The intent of this text amendment is to update the Florence County Ordinance to provide a definition and consistent standards for the development of Tiny Homes.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE III. – CONDITIONAL USE REGULATIONS, Sec. 30-111 – Development standards for unzoned areas. Shall be amended to read as follows:

**ARTICLE III. – CONDITIONAL USE REGULATIONS**

Sec. 30-~~116~~117– 30-120. - Reserved

**Sec. 30-116 Tiny Homes**

Tiny Homes are residential structures which are defined by the 2021 South Carolina Residential Code. The construction of such structures shall be in accordance with the applicable building code enforced at the time of permitting.

- (1) Tiny Homes shall be allowed only in districts where Standard Designed Manufactured Homes are permitted to be permanently located.
- (2) The number of tiny homes and their placement on a lot shall adhere to the requirements for manufactured homes in their respective districts.
- (3) Tiny homes shall be allowed to be located within a manufactured home park.
- (4) Where more than two tiny homes are constructed on a single lot, the lot shall be developed in accordance with and subject to the requirements of Sec. 30-96, Manufactured Home Parks.

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FLORENCE COUNTY PLANNING COMMISSION  
July 25, 2023  
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**SUBJECT:** Request For Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE IV. – APPEARANCE, BUFFERING, SCREENING, LANDSCAPING, AND OPEN SPACE REGULATIONS, Sec.30-121 – Bufferyards.

**APPLICANT:** Florence County

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The intent of this text amendment is to update the Florence County Ordinance to ensure that bufferyard requirements are adequate and consistent based on the proposed land use and adjacent land use.

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**Sec. 30-121. - Bufferyards.**

- (a) *Definition.* The bufferyard is a unit of yard together with the planting, fences, walls, and other screening devices required thereon.
- (b) *Purpose.* The purpose of the bufferyard is to separate different land uses from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions, and promote land use compatibility.
- (c) *Where required; location.* Bufferyards shall be provided in accord with the requirements of Table VI, and shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Bufferyards shall not be located on any portion of an existing public or private street or right-of-way.
- (d) *Determination of requirements.* To determine the bufferyard required between two adjacent parcels or between a parcel and a street, the following procedure shall be followed:
  - (1) Identify the proposed land use.
  - (2) Identify the use of land adjacent to the proposed use.
  - (3) Determine the bufferyard required on each boundary (or segment thereof) of the subject parcel by referring to Table VI, bufferyard requirements and bufferyard

illustrations of this section. The letter designations contained in the table refer to the type of bufferyard specified by the illustrations.

- (4) Any of the several options contained in the illustrations shall satisfy the requirements of buffering between adjacent land uses and streets.

(e) *Responsibility for bufferyard.*

- (1) It shall be the responsibility of the proposed use to provide the bufferyard required by Table IV.
- (2) When a use is first to develop on two adjacent vacant parcels, the first use shall provide the buffer specified for vacant land. The second use to develop shall, at the time it develops, provide all additional plant material and/or land necessary to provide the total required bufferyard.

(f) *Bufferyard specifications.* The bufferyard illustrations contained in this section graphically indicate the specifications of each bufferyard. The requirements are stated in terms of the width of the bufferyard and the number of plants required per 100 feet of bufferyard. The requirements of a bufferyard may be satisfied by any one of the options illustrated.

The "plant unit multiplier" is a factor by which the basic number of plant materials required for a given bufferyard is determined given a change in the width of the bufferyard. The type and quantity of plant materials required for each bufferyard option are specified by the illustrations. Each illustration depicts the total bufferyard located between two uses. Whenever a wall, fence, or berm is required within a bufferyard, they are shown as "structures."

The exact placement of required plants and structures shall be the decision of the developer, except that evergreen (or conifer) plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival.

All buffer yards shall be seeded with lawn grass or suitable ground cover.

(g) *Bufferyard substitutions.* The following plant material substitutions shall satisfy the requirements of this chapter.

- (1) Evergreen canopy or evergreen understory trees may be substituted as follows:

In the case of deciduous canopy forest trees, up to a maximum of 50 percent of the total number of canopy trees otherwise required;

Evergreen canopy or evergreen understory trees may be substituted for deciduous understory trees and deciduous shrubs, without limitations.

- (2) In all bufferyards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitations.
- (3) Any existing plant material that otherwise satisfies the requirements of this section may be counted toward satisfying all such requirements.

- (4) Structures, where required, may be substituted with approval of the zoning administrator.
- (h) *Use of bufferyards.* A bufferyard may be used for passive recreation; however, no plant material may be removed.
- (i) *Bufferyards part of required yards.* Where front, side, and rear yards are required by this chapter, bufferyards may be established within such required yards.
- (j) *Minimum plant size.* Plants shall be sufficiently sized to insure buffering and screening at the time of installation. Where the bufferyard illustrations indicate a mass or line of plants paralleling the length of the property line, the plant materials shall be sufficiently sized to insure obscurity at the time of installation. However, seedling plants may be used where berms or structures are required as part of the bufferyard, or where the proposed use is contiguous to a street or vacant land.

The following table shall serve as a guide for determining minimum plant size.

**Table V: Determining Minimum Plant Size**

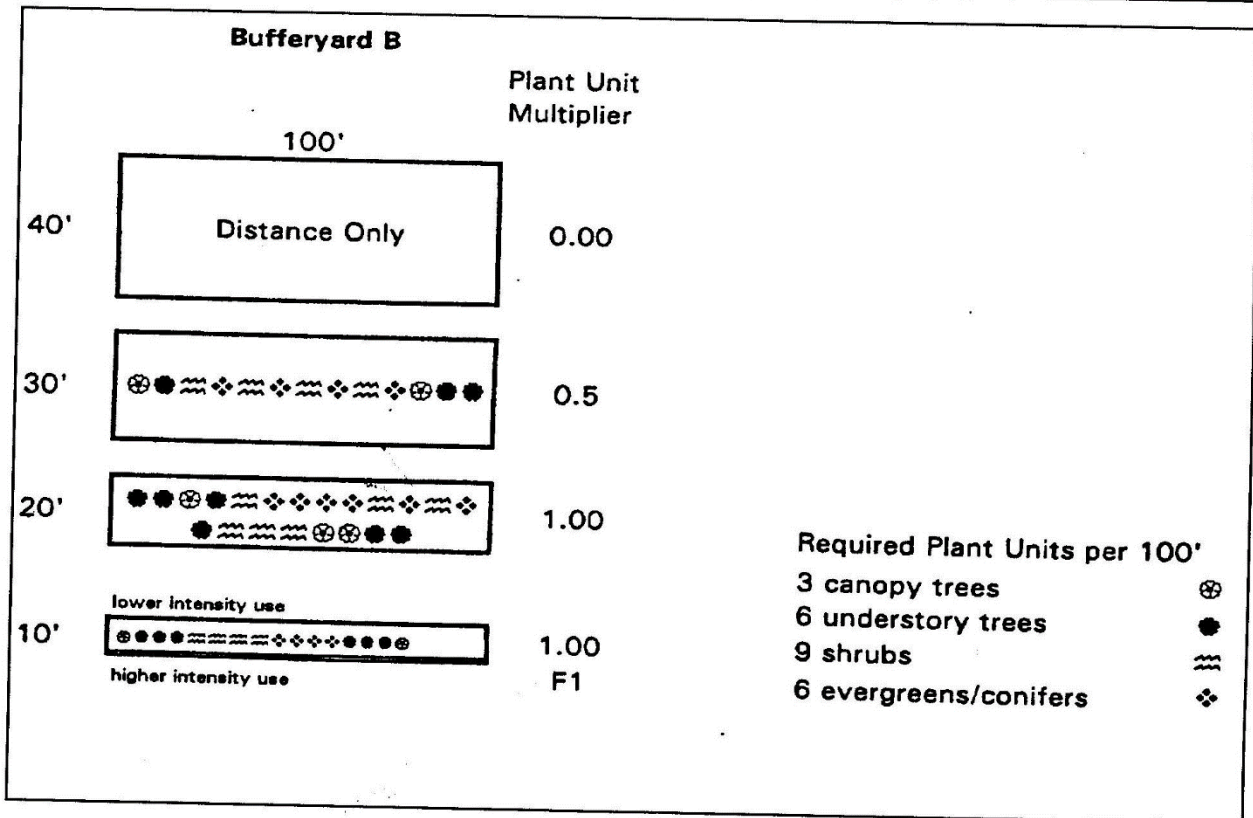
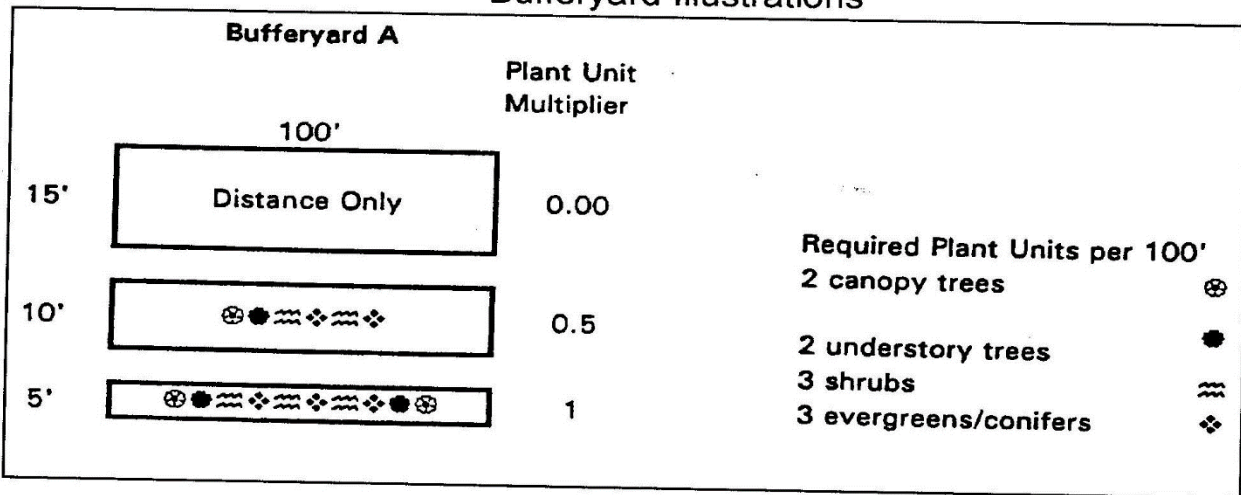
Plant Material Type	Planting in bufferyards abutting vacant lands, fences, berms	All other plantings
<b>Canopy Tree</b>		
Single-stem	1½-inch caliper	2½-inch caliper
Multi-stem clump	6 feet high	10 feet high
Understory Tree	4 feet high	1½-inch caliper
Evergreen Tree	3 feet high	5 feet high
<b>Shrub</b>		
Deciduous	15 inches high	24 inches high
Evergreen	12 inches high	18 inches high

- (k) *Required maintenance.* The maintenance of required bufferyards shall be the responsibility of the property owner. All such yards shall be properly maintained so as to assure continued buffering. To this end, such areas shall be provided with an irrigation system or readily available water supply. Dead trees shall be removed and replaced; debris and litter shall be cleaned up; and berms, fences, and walls shall be maintained at all times. Failure to do so is a violation of this chapter and may be remedied by the zoning administrator in the manner prescribed for other violations.

**Table VI Bufferyard Requirements†**

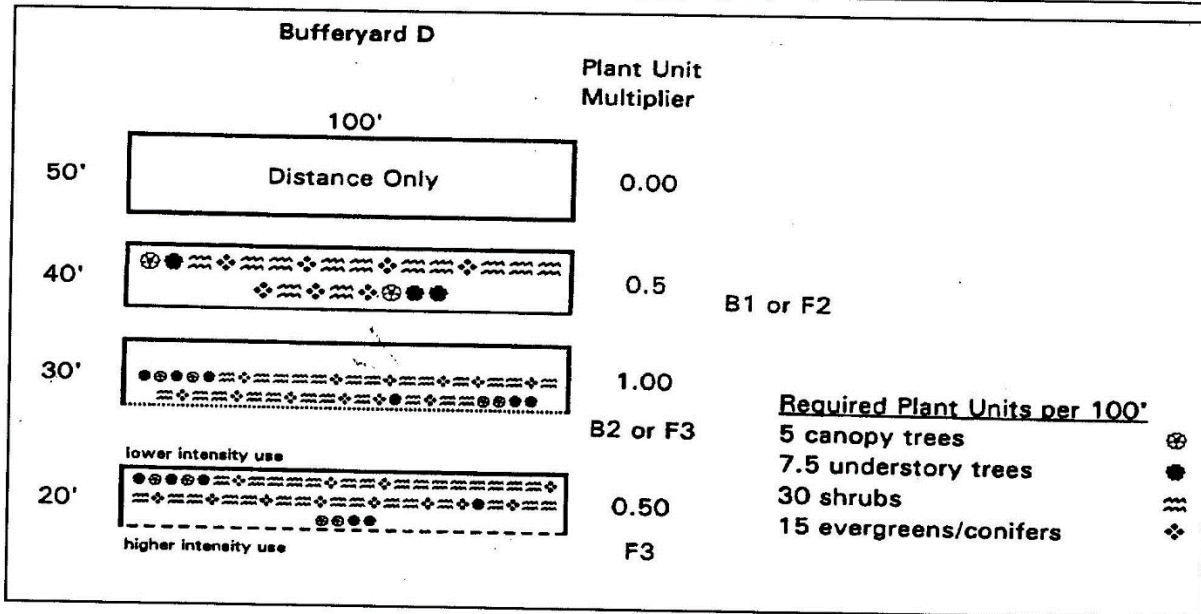
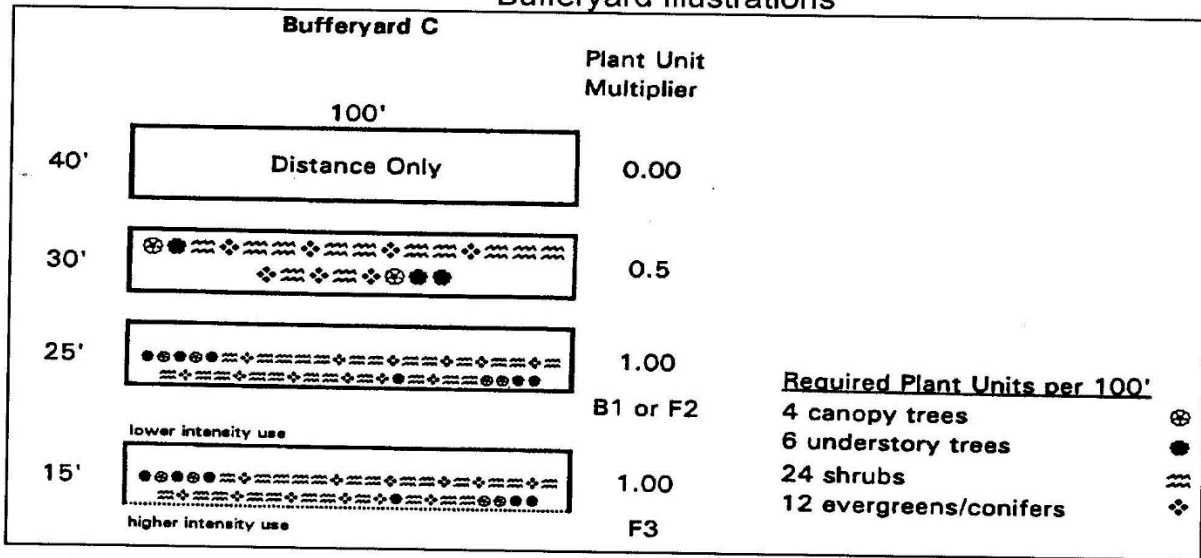
Proposed Land Use	Existing Adjacent Land Use									
	Single & duplex dwelling in residential zone	Townhouses, multiplexes, apt.	Motels, group quarters, etc.	Manufactured home park	Residential use in commercial or industrial zone	Religious, education, recreation, nursing home	Office & institutional	Commercial	Industrial	Vacant land
Single & duplex dwelling in residential zone	*	*	*	*	*	*	*	*	*	*
Townhouses, multiplexes, apt.	B	*	A	A	A <sup>+</sup>	C	B	B <sup>+</sup>	C <sup>+</sup>	*
Motel, group quarters, etc.	C	A	*	A	*	C	*	*	*	*
Manufactured home park	D	C	C	*	C	C	C	C	C <sup>+</sup>	*
Religious, education, recreation, nursing home	C	A <sup>+</sup>	B <sup>+</sup>	B <sup>+</sup>	*	*	*	A <sup>+</sup>	B <sup>+</sup>	*
Office & institutional	B	A	B	B	*	B	*	*	*	*
Commercial use/parking lot	C	B	C	C	*	B	*	*	*	*
Industrial use	D	D	C	C	B	C	C	C	*	*
* No bufferyard required.										
† For accessory buildings and uses per <a href="#">section 30-246</a> , Bufferyard E shall apply.										
Note: Uses not specifically listed shall meet the bufferyard requirements of the use to which they are most similar.										

## Bufferyard Illustrations



Bufferyard A and Bufferyard B

## Bufferyard Illustrations



### Bufferyard C and Bufferyard D

### Bufferyard E

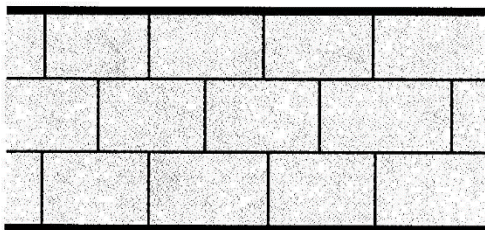
- 1) > 2,000 sf — < 4,000 s.f.: 30 feet from rear and side property lines \*
- 2) > 4,000 sf: 50 feet from rear and side property lines \*
- 3) Setback requirements may be substituted by plant materials and/or structures as outlined in Bufferyard A, five foot illustration, with the approval of the zoning administrator. Any

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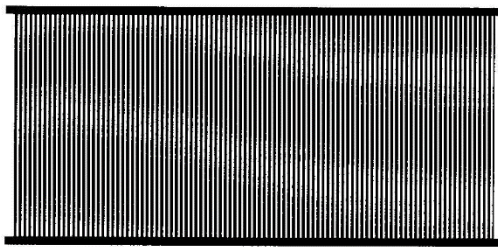
### Structures

Fences			Berms		
Symbol	Height	Material	Symbol	Height	Material
F1	4'	Wood Stockade	B1	4'	Earthen
F2	5'	Wood Stockade	B2	6'	Earthen
F3	6'	Wood Stockade			

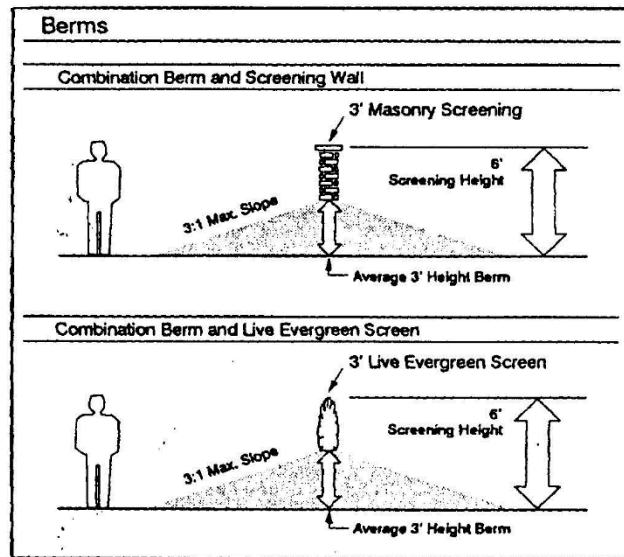
The structure is on the higher intensity side of the bufferyard, with landscaping continuing toward the less intense use.



Masonry Wall



Wood Stockpile



Masonry Wall

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
July 25, 2023  
PC#2023-27**

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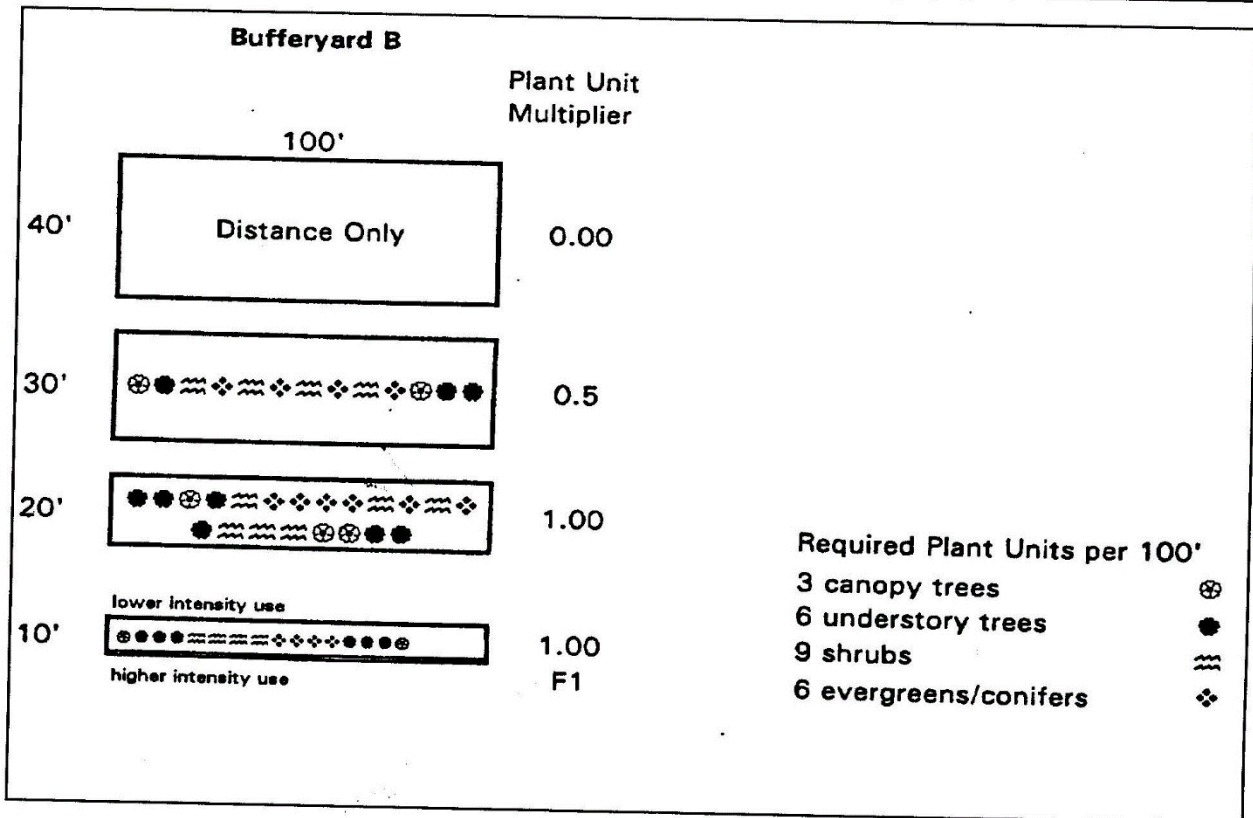
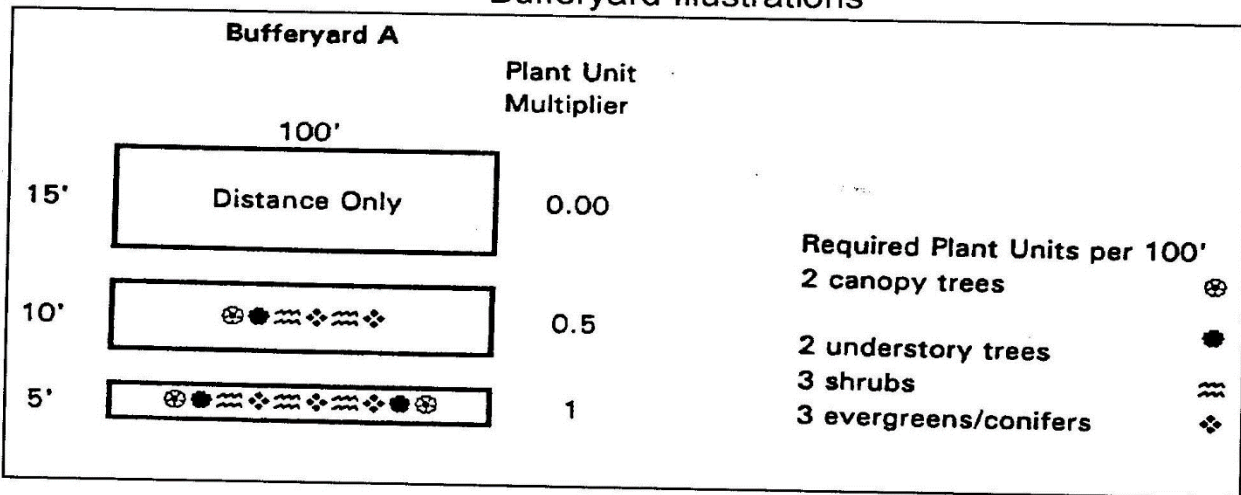
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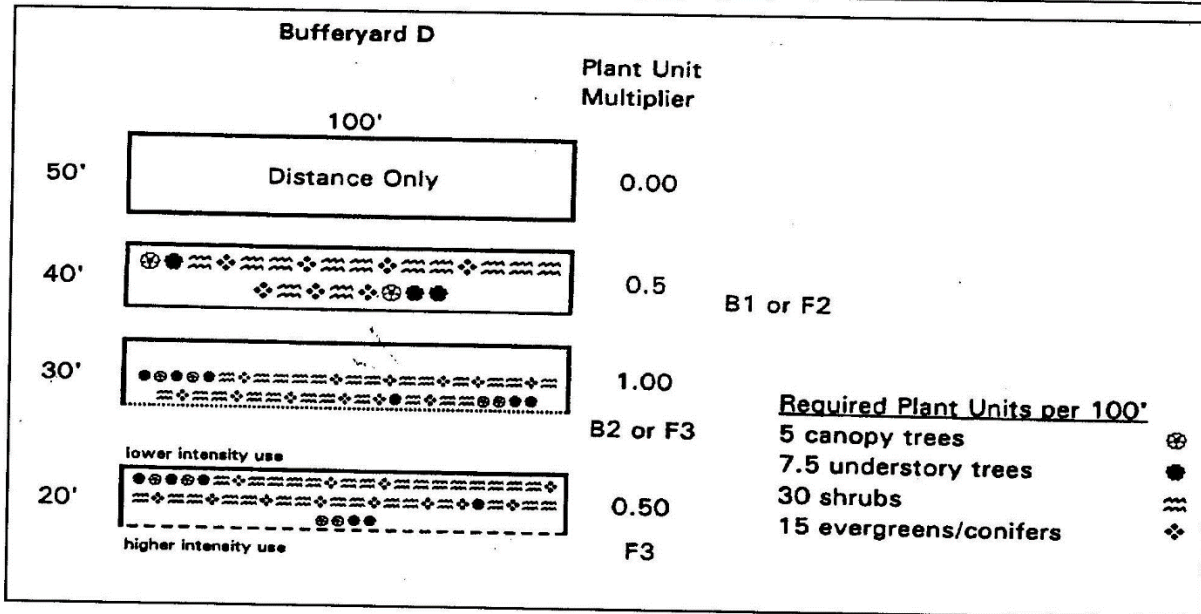
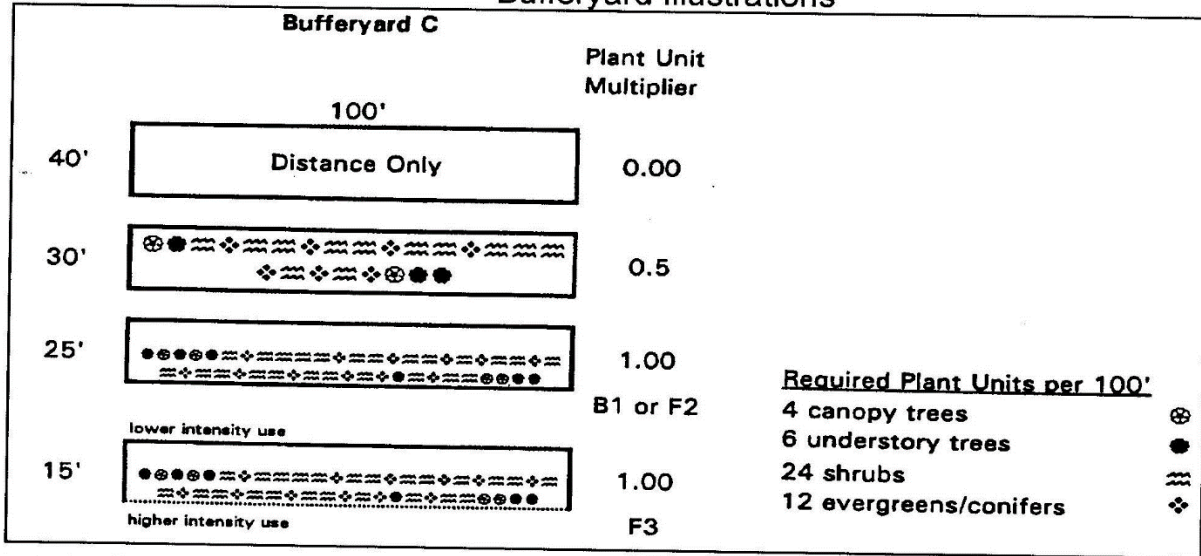
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Townhouses, multiplexes, apt.	B	*	A	A	A	C	B	B	C	*
Motel, group quarters, etc.	C	A	*	A	*	C	*	*	*	*
Manufactured home park	D	C	C	*	C	C	C	C	C	*
Religious, education, recreation, nursing home	C	A	B	B	*	*	*	A	B	*
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Commercial use/parking lot	C	B	C	C	*	B	*	*	*	*
Industrial use	D	D	C	C	B	C	C	C	*	*
* No bufferyard required.										
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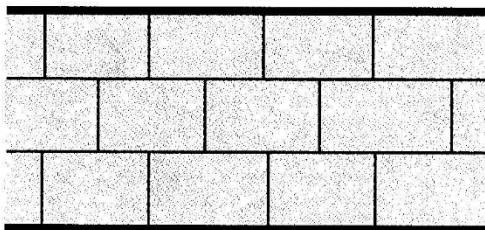
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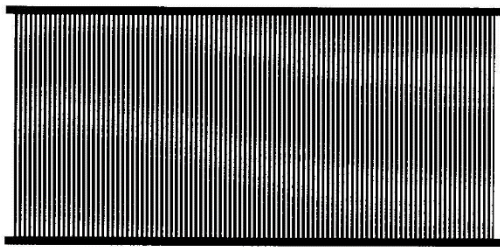
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F2	5'	Wood Stockade	B2	6'	Earthen
F3	6'	Wood Stockade			

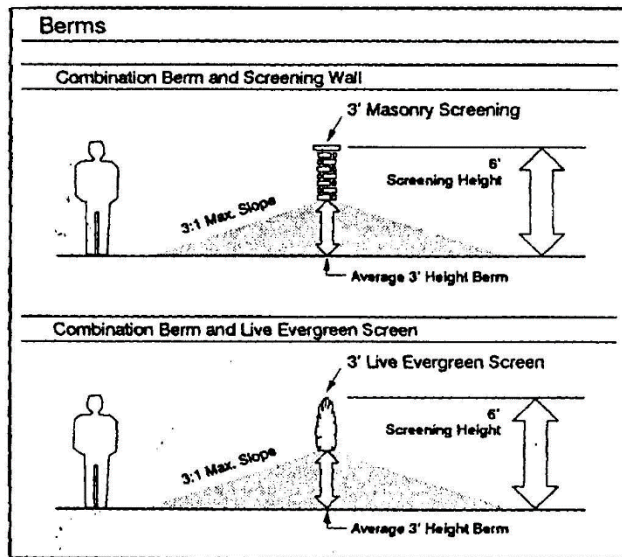
The structure is on the higher intensity side of the bufferyard, with landscaping continuing toward the less intense use.



Masonry Wall



Wood Stockpile



Masonry Wall

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
July 25, 2023  
PC#2023-28**

**SUBJECT:** Request for Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE VII. – GENERAL AND ANCILLARY REGULATIONS, Sec. 30-246 – Accessory buildings and uses.

**APPLICANT:** Florence County

**Staff Analysis:**

The intent of this text amendment is to update the Florence County Ordinance to provide regulation concerning the accessory uses of residential properties that are located in a business zoning district.

The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE VII. – GENERAL AND ANCILLARY REGULATIONS, Sec. 30-246 – Accessory buildings and uses. Shall be amended to read as follows:

**Sec. 30-246. – Accessory buildings and uses**

*Purpose:* To establish the general rules for the placement of accessory structures and uses to a principal use on a parcel. As a general rule, all accessory structures and uses shall only be placed in side or rear yards. Any exception to this rule shall be spelled out in detail below.

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

(2) *General requirements.*

a. *Residential districts:*

1. The number of accessory structures are as outlined in Table II.
2. The combined gross floor area (GFA) of all accessory structures is outlined in Table I.
3. The height of accessory buildings shall not exceed 30 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.



5. Setbacks are as outlined in Table II.

<b>Table I Maximum Floor Area</b>	
<b>Lot Size (Gross Acres)</b>	<b>Accessory Structures/Uses (Gross Floor Area)</b>
1 acre or less	2,000 sf†
>1—<2 acres	3,000 sf*
2—<4 acres	4,000 sf*
4 or more acres	6,000 sf*
†Note: No structure or combination of structures shall be larger than the square footage of the existing primary structure.	
* See Bufferyard E Requirements (Section 30-121)	

<b>Table II Maximum Number of Structures</b>	
<b>Lot Size (Gross Acres)</b>	<b>Allowable Number of Accessory Structures/Uses per Parcel</b>
<1 acre	2
>1—<4 acres	3
4 or more acres	4 or unlimited with bufferyard requirements*
Accessory structures and uses may be allowed within three feet of a side or rear property line, except when larger than 2,000 sf., in which case the accessory structures/use shall meet the requirements of Bufferyard E. (Section 30-121)	

b. *All other zoned districts:*

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

4. Residential use properties which are applicable to R-1, R-2, and R-3, located within business zoning districts, shall adhere to the following requirements:



Section 30-98, Section 30-246(1) (2), Section 30-228, and Section 30-229(1) (2) (3) irrespective of use.

- (3) *Location.* Without exception, no accessory use, building, or structure shall be located in a required buffer area. Front yard as established by the above section shall also include secondary front yards. Unzoned areas of Florence County shall observe the setbacks for all other uses as established in [section 30-111](#) of this ordinance. Accessory buildings and uses are permitted anywhere within the buildable area of a lot or parcel unless specifically regulated, and are permitted within required yards and setback areas under the following conditions:
- a. *Off-street parking and loading space.* Off-street parking and loading spaces are permitted in required yards and setback areas in accordance with article VI of this chapter.
  - b. *Free-standing signs.* Freestanding signs shall meet the requirements of article V of this chapter.
  - c. *Buildings, sheds, and structures for dry storage; greenhouses.* Building sheds and structures for dry storage and greenhouses may be located in rear yard setback areas only, but no closer than three feet to the property line.
  - d. *Domestic animal shelters and pens.* Domestic animal shelters and pens may be located in rear yard setback areas only, but no closer than ten feet from any side or rear residential property line.
  - e. *Swimming pools, tennis courts, recreational uses.* These uses may be located in required rear yard and setback areas only; provided said uses shall be no closer than ten feet to the nearest property line, and shall have all lighting shielded or directed away from adjoining residences.
  - f. *Ground supported communication and reception antennas.* These uses may be located in required rear and side yards only, but no closer than five feet to the property line, and if located in the buildable area shall not extend or be located in front of any principal building.
  - g. *Fences and walls.* May be located in all required yards and along any property line. Fences and walls exceeding eight feet in height require a variance from the board of zoning appeals.
  - h. *[Accessory uses.]* Accessory uses (not buildings) may be located in the front yard of business and rural zoning districts and unzoned areas with the following requirements:

1. Uses with a total foot print of 12 square feet or less may be within ten feet of the front property line and three feet of the side property line provided they do not interfere with the site triangle requirements.
2. Uses with a total foot print between 12 square feet and 30 square feet may be located within 20 feet of the front property line and three feet of the side property line provided they do not interfere with the site triangle requirements.
3. Uses greater than 30 square feet or those listed above requiring a smaller setback shall be treated as a special exception before the board of zoning appeals.

(4) *Donation Receptacles*

- a. *Definition.* Donation receptacle means any unattended container, box or similar device that is used for soliciting and collecting donations, including but not limited to, clothing, footwear, books, and salvageable household goods.
- b. *Conditions for placement of donation receptacle.* Any donation receptacle located on any property within the unincorporated area of Florence County must comply with the following regulations:
  1. Donation receptacles shall either be placed along the side or rear of any property and shall meet the required setback for that Zoning District as set forth in the Florence County Code of Ordinances. The donation receptacle shall be situated on the property so as not to interfere with sight-triangles or on-site circulation, or any bufferyards, landscaping, parking, or other elements of the design of a site that are required pursuant to the Florence County Code of Ordinances or that may have been imposed as part of the site plan approval or the premises. Donation receptacles shall not be allowed in any residential or agricultural zoning district, except on properties where a special use permit exists for a place of worship or assembly.
  2. Donation receptacles shall not be placed within a designated parking space.
  3. Donation receptacles shall not be placed in such a manner as to cause an obstruction for pedestrians or motorists. Donation receptacles should not be located in public rights-of-way, required building setbacks, landscape areas, drive aisles, required parking spaces, fire lanes, loading zones, buffers or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses.
  4. Only one donation receptacle shall be permitted per lot and shall only be permitted on properties after the donation receptacle owner has completed a placement permit with Florence County. Each placement permit requires a

separate placement permit for every donation receptacle placed within the County. Each placement permit will carry a \$100.00 fee.

- i. Written permission, from the property owner, stating the allowance of a donation receptacle and placement in an area determined by a property owner/lessor and shown on a property layout plan and submitted with application for a placement permit.
  - ii. The permit shall be valid for up to one year. Yearly re-application of any placement permit for a receptacle donation box will be contingent on the above conditions, including the \$100.00 fee and written permission from the current property owner.
  - iii. A permit is not required if the bin is located on the premises of the sponsoring organization.
  - iv. With approval of the County Administrator, the \$100.00 fee may be waived if the sponsoring organization is a non-profit organization.
5. Donation receptacle shall not exceed 6 ½ feet in height, 8 feet in length and 10 feet in width.
6. Signage on donation receptacles should be no less than 5" letter height. Each donation receptacle must provide one of the following, (i) this bin is for donations for a for-profit organization and may not be tax deductible or (ii) this bin is for donations to a non-profit organization and may be tax deductible. These notices shall be on the front of each bin, which has a visually identifiable slot/chute.
7. The following information must be clearly and conspicuously displayed on the front and side exterior of the donation receptacle: the name and address of the property owner who owns the donation receptacle and the name of any entity which may share, profit, or benefit from any donations collected via the donation receptacle. Upon failure to provide the required information as set forth herein, the receptacle shall be removed by the County. Prior to removal a notice shall be placed on the receptacle advising that it will be removed and disposed of by the County ten days from the date of the notice.
8. Donation receptacles shall be maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be kept free of graffiti. All donation receptacles shall be free of debris and shall be serviced regularly so as to prevent overflow of donations or the accumulation of junk, debris, or other material. All donation receptacles must be securely locked to prevent unauthorized individuals from being able to open or enter the donation receptacle.

c. *Notice of violation and fine.* In the event that any property within the County of Florence has upon it any donation receptacle that violates the provisions of this Article, the owner of such donation receptacle shall be served with written notice of the violation and, in the event that the violation is not corrected within 30 days of service of such notice, the owner of such donation receptacle shall be issued a uniform ordinance summons. Notice of the violation shall be served upon the owners of the donation receptacle, at the owner's last known address, by first class mail, postage pre-paid, or served personally by an official of the County. The written notice shall include a detailed description of the violation(s) located on the property. Upon conviction a violator may be fined \$200.00 per day and/or 30 days in jail. The notice shall also provide that upon failure to correct the violation the receptacle will be removed and disposed of by the County ten days from the end of the thirty day period. Prior to removal a notice shall be placed on the receptacle advising that it will be removed and disposed of by the County ten days from the date of the notice.

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
July 25, 2023  
PC#2023-28**

**SUBJECT:** Request for Text Amendments To The Florence County Code Of Ordinances, Chapter 30, ZONING ORDINANCE, ARTICLE VII. – GENERAL AND ANCILLARY REGULATIONS, Sec. 30-246 – Accessory buildings and uses.

**APPLICANT:** Florence County

**Staff Analysis:**

The intent of this text amendment is to update the Florence County Ordinance to provide regulation concerning the accessory uses of residential properties that are located in a business zoning district.

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7. The following information must be clearly and conspicuously displayed on the front and side exterior of the donation receptacle: the name and address of the property owner who owns the donation receptacle and the name of any entity which may share, profit, or benefit from any donations collected via the donation receptacle. Upon failure to provide the required information as set forth herein, the receptacle shall be removed by the County. Prior to removal a notice shall be placed on the receptacle advising that it will be removed and disposed of by the County ten days from the date of the notice.
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**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
July 25, 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 ~~two~~ 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 rResidential 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.
- (~~5~~) *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) Location of features along the exterior boundary of the PD is discouraged.
- 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:
- $A_1 = D \times 2.3 \times 0.01 / 2$
- 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~~ ~~Site plan~~ showing the proposed development shall be a prerequisite to the approval of a PD. The ~~site plan~~ ~~sketch plan~~ shall adhere to the requirements of this section and ~~shall show the information called for in section 30-267(e).~~ ~~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~~ 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.**

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
July 25, 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 ensure Planned Development Districts (PD) meet the requirements of the South Carolina Local Government Comprehensive Planning Enabling Act, while also protecting the quality of life for occupants of the PD and adjacent property owners.

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 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.

(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.
- (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 be designed to provide maximum benefit to the PD's occupants through its central location, when possible.
  - 2) Location of features along the exterior boundary of the PD is discouraged.
  - 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:

$$A_1 = D \times 2.3 \times 0.01 / 2$$

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 requirements.**

A sketch plan showing the proposed development shall be a prerequisite to the approval of a PD. 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)



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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.

(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.**