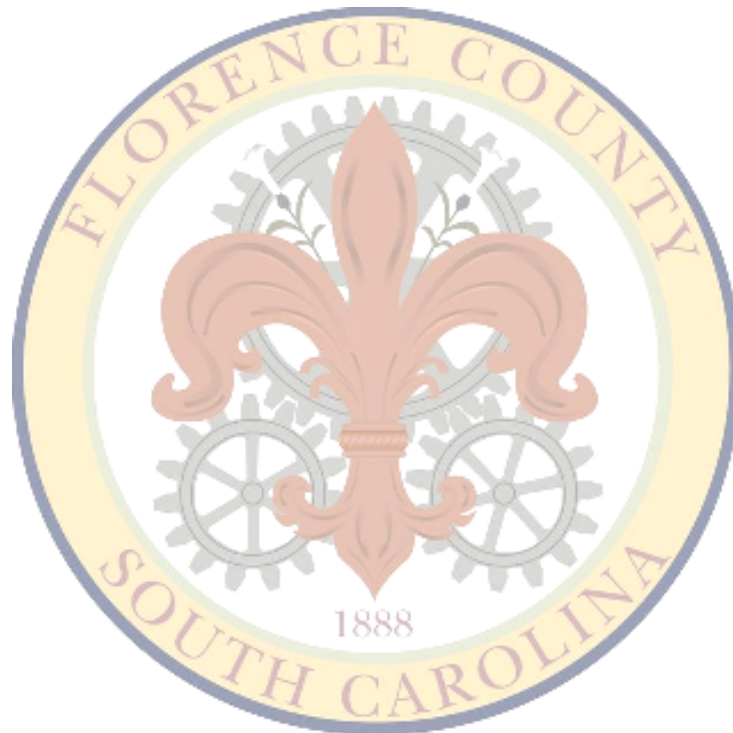


ADMINISTRATIVE PROCEDURES



FLORENCE COUNTY COMPREHENSIVE PLAN

TABLE OF CONTENTS

TABLE OF CONTENTS	2
FOREWORD.....	3
PERIODIC REVISION SCHEDULE.....	4
PROCEDURE FOR ADOPTING PLAN OR AMENDMENTS	4
PUBLIC HEARING AND NOTICE	5
ZONING OR REZONING REQUEST NOT COMPLIANT TO COMPREHENSIVE PLAN.....	5
CHANGE TO COMPREHENSIVE PLAN	6
RESUBMISSION OF DENIED APPLICATION	6
REVIEW OF PUBLIC PROJECT.....	6
APPENDIX.....	7
PROCEDURES ADOPTION DATE	7

FOREWORD

In accordance with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (Chapter 29 of Title 6 of the South Carolina Code), the Florence County Comprehensive Plan seeks to address elements within the community that are considered to be critical and necessary in guiding the development and redevelopment of the County.

This update represents the first revision of the Comprehensive Plan since the original composed in 1997. Like its predecessor, this plan focuses on the nine (9) planning elements defined and required by the South Carolina Local Government Comprehensive Planning Act of 1994.

- The **Population Element** focuses on historic trends and projections of the population, household numbers and sizes, education levels of residents, and income characteristics.
- The **Cultural Resources Element** identifies historic buildings and structures, commercial districts, residential districts, unique scenic and natural resources, archaeological areas, and other cultural resources in Florence County.
- The **Natural Resources Element** identifies natural resources, slope characteristics, prime agricultural and forest land, plant and animal habitats, parks and recreation areas, scenic views and sites, wetlands, and soil types.
- The **Housing Element** identifies the location, type, age and condition, owner and rental occupancy status, and affordability of housing in Florence County.
- The **Economic Element** addresses the labor force and its characteristics, employment based on places of work and residence and includes an analysis of the economic base.
- The **Community Facilities Element** focuses on the supply, treatment, and distribution of water, sewage systems and wastewater treatment, solid waste collection and disposal, fire protection, emergency medical services, general government facilities, education facilities, libraries, and other cultural facilities. Originally, this element focused on transportation; however, this topic is contained within a separate element.
- The **Land Use Element** addresses existing and future land use through a variety of categories, including: residential, commercial, industrial, agricultural, forestry, mining, public, quasi-public, recreation, parks, open space, and vacant or undeveloped.
- The **Transportation Element** considers transportation facilities, including major road improvements, new road construction, transit projects, pedestrian and bicycle projects, and other elements of a transportation network. This element must be developed in coordination with the land use element, to ensure transportation efficiency for existing and planned development.
- The **Priority Investment Element** analyzes the likely federal, state, and local funds available for public infrastructure and facilities during the next ten years, and recommends the projects for expenditure of those funds during the next ten years for needed public infrastructure and facilities such as water, sewer, roads, and schools. The recommendation of those projects for public expenditure must be done through coordination with adjacent and relevant jurisdictions and agencies. For the purposes of this item, "adjacent and relevant jurisdictions and agencies" means those counties, municipalities, public service districts, school districts, public and private utilities, transportation agencies, and other public entities that are affected by or have planning authority over the public project. For the purposes of this item, "coordination" means written notification by the local planning commission or its staff to adjacent and relevant jurisdictions and agencies of the proposed projects and the opportunity for adjacent and relevant jurisdictions and agencies to provide comment to the planning commission or its staff concerning the proposed projects. Failure of the planning commission or its staff to identify or notify an adjacent or relevant jurisdiction or agency does not invalidate the local comprehensive plan and does not give rise to a civil cause of action.

All of the above elements are designed to be conducive for wise and efficient use of public funds. They are also written with the intent to foster future growth, development, and redevelopment in Florence County, always considering the fiscal impact on property owners within the County.

The Florence County Comprehensive Plan seeks to outline a plan for adjusting to the physical, social, and economic growth of Florence County. This includes changes in the population, the economic development of the County, the presence of natural and cultural resources, the availability and usability of community facilities, housing trends, and land use in the County. It is important to maintain up to date information for all of these areas in order to ensure that the varying degrees of County growth is addressed appropriately. For example, if the population is projected to increase by 5% in the next 5 years, then we must be prepared to provide the growing population with necessary infrastructure, public services, community facilities, and housing. In addition, we must ensure that the growth does not occur in areas that are designated for preservation and conservation.

The Florence County Comprehensive Plan will serve as a guide for where we are as a community and where we want to go. It will serve as a vehicle to meet the existing and anticipated needs of the citizens of Florence County and balance growth with stability. Armed with this pertinent information, we can ensure intelligent decision making regarding the development and redevelopment of future physical, social, and economic growth of the Florence area.

PERIODIC REVISION SCHEDULE

The Florence County Planning Commission must review the Comprehensive Plan or particular elements of the plan as necessary. Changes in the growth or direction of development taking place in the community dictate when a review is necessary. Economic setbacks resulting in the unanticipated loss of jobs could also trigger a need to reevaluate the Comprehensive Plan. The Planning Commission's decisions must conform to the most current comprehensive plan.

1. The Planning Commission must reevaluate the Comprehensive Plan elements at least every **five years**. There is no requirement to rezone the entire city or county at once; therefore, the land use element may be reviewed and updated in stages or by neighborhoods.
2. The Comprehensive Plan, including all elements, must be updated at least every **ten years**. Every ten years, the Planning Commission must prepare and recommend a new plan, and the County Council must adopt a new Comprehensive Plan.

PROCEDURE FOR ADOPTING PLAN OR AMENDMENTS

Initiation of Amendment: Proposed changes or amendments to the Florence County Comprehensive Plan may be initiated by the Florence County Council, the Florence County Planning Commission, the Florence County Board of Zoning Appeals and individual property owners.

Application Fee: Before any action shall be taken on an amendment request, the party or parties proposing or recommending said amendment shall deposit the required fee with the Zoning Administrator. The application fee shall not be refunded for failure of said amendment to be adopted. The fee is not required where a public body listed above initiates the amendment.

Declaration of Policy: As a matter of policy, no request to change the text of the Comprehensive Plan shall be acted upon favorably except:

- A. Where necessary to implement the community vision; or,
- B. To correct an original mistake or manifest error; or,
- C. To recognize change or changing conditions or circumstances in a particular locality; or,
- D. To recognize change in technology, the style of living, or manner of doing business.

When the plan, any element, amendment, extension, or addition is completed and ready for adoption, the following steps must be taken:

1. **Resolution.** By majority vote of the entire membership, the Planning Commission must adopt a resolution recommending the plan or element to the County Council for adoption. The resolution must refer explicitly to maps and other descriptive material intended by the Commission to form the recommended plan.
2. **Minutes.** The resolution must be recorded in the official minutes of the Planning Commission.
3. **Recommendation.** The Commission must send a copy of the recommended Comprehensive Plan or element to County Council to adopt the plan. The Commission must also send a copy to all other legislative or administrative agencies affected by the plan.
4. **Hearing.** Before adopting the recommended plan, County Council must hold a public hearing. It must give at least 30 days notice of the hearing time and place.
5. **Ordinance.** The Council must adopt the Comprehensive Plan or any element by ordinance.

PUBLIC HEARING AND NOTICE

Before enacting an amendment to this Ordinance, the County Council shall hold a public hearing thereon. At least 30 days notice of the time and place of the hearing shall be published in a newspaper of general circulation in Florence County. When a proposed amendment affects the classification of property, notice shall be made by posting the subject property, with at least one notice being visible from each road that abuts the property. Posting of said property shall occur at such time as the notice is given, and shall be at least 30 days prior to the hearing. All adjoining property owners directly abutting a parcel scheduled for change and those property owners within a circumference of 500 feet shall be contacted in writing at least 30 days prior to the public hearing. However, if the proposed amendment affects 10 or more parcels, then the posting of the property and notice to adjoining property owners is not required.

- A. When it is deemed beneficial by the Planning Commission to hold a public hearing, no public hearing by the County Council is required before amending the Comprehensive Plan text or maps. However, the County Council may hold a public hearing to obtain additional input on its own initiative;
- B. No challenge to the adequacy of notice or challenge to the validity of a regulation or map, or amendment to it, whether enacted before or after the effective date of this section, may be made 60 days after the decision of the County Council, if there has been substantial compliance with the Florence County Council and the Florence County Planning Commission.

ZONING OR REZONING REQUEST NOT COMPLIANT TO COMPREHENSIVE PLAN

If a zoning or rezoning application does not comply with the approved Comprehensive Plan, the Planning Department staff must inform the applicant. Further, the applicant shall be given the opportunity to apply for an amendment to the Comprehensive Plan (for example, the land use map). County staff will present the Comprehensive Plan amendment to the Planning Commission with a recommendation based on on substantiate and objective factors.

A zoning or rezoning application may run concurrently on the Planning Commission and subsequent County Council agendas with a Comprehensive plan amendment application as long as the Comprehensive Plan amendment is presented and decided by the respective Commission or Council prior to the zoning or rezoning item. In the event an applicant refuses to apply and seek to amend the Comprehensive Plan, the staff must recommend denial to the Florence County Planning Commission.

If a zoning or rezoning is counter to County Comprehensive Plan, the Planning Commission should recommend denial to the Florence County Council. Subsequently, the Florence County Council shall consider the

recommendations and make the decision to deny the request or approve the request by first changing the Comprehensive Plan designation according to the “Procedure for Adopting Plan or Amendments” described above.

CHANGE TO COMPREHENSIVE PLAN

The Florence County Council shall consider the recommendations of the County Planning Commission on each proposed Comprehensive Plan amendment. However, the Florence County Council is not bound by the recommendation in making a final decision, and may call for additional information.

RESUBMISSION OF DENIED APPLICATION

In no instance shall a property owner(s) initiate action for a Comprehensive Plan amendment affecting the same parcel or lot, or any part thereof, for a period of 12 months following denial of such request by the Florence County Council. The Florence County Planning Commission, the Florence County Board of Zoning Appeals, or the Florence County Council may initiate a change in the Ordinance any time without regard to the 12 months limitation.

REVIEW OF PUBLIC PROJECT

After the Comprehensive Plan or an element relating to proposed development is adopted, a public agency or entity proposing a public project must submit its development plans to the planning agency. After review, the Planning Commission decides whether the proposal is compatible with the Comprehensive Plan. The information submitted must contain the location, character, and extent of the development.

If the Planning Commission finds the proposal conflicts with the Comprehensive Plan, it sends its findings and an explanation of its reasoning to the public entity proposing the facility. Then, the governing or policy making body of the entity can decide whether to bring the project into conformity or to proceed with the development in conflict of the plan. If it decides to proceed with a conflicting plan, the entity must publicly state its intention to proceed and its reasons. The entity must send the statement to the County Council and the Planning Commission. It must also publish the statement and reasons as a public notice in a general circulation newspaper in the community. The notice must appear at least 30 days before awarding a contract or beginning construction.

Note: *Telephone, sewer and gas utilities, or electric suppliers, utilities and providers, whether publicly or privately owned are exempt from this provision if the local governing body, state regulatory agency or federal regulatory agency approve their plans. Electric suppliers, utilities and providers operating according to Chapter 27 and Chapter 31 of Title 58 of Chapter 49 of Title 33 are also exempt from this provision. These utilities must submit construction information to the appropriate local Planning Commission.*

State Law requires everyone involved in creating the built environment to consider the community’s adopted Comprehensive Planning elements. The process for Planning Commission review is a major tool to help ensure the public investments move the community toward carrying out the Comprehensive Plan.

APPENDIX

INITIAL ADOPTION DATE

Florence County..... May 7, 2009 Ordinance No. 23-2008/09

AMENDED ADOPTION DATE

Florence County..... December 10, 2009 Ordinance No. 16-2009/10