

May 26, 2020
5:00 p.m.
Conference Call:
1-929-205-6099
Access Code:
912096416

CITY COUNCIL

- A. Roll Call
- B. Invocation – Councilmember Appel
- C. Pledge of Allegiance
- D. Presentations and Recognitions
- E. Public Hearings

Please use one of the following methods to request to speak at the meeting or provide comments for City Council. Requests to speak at the meeting and comments must be received by 12:00 p.m., Tuesday, May 26th:

1. Request to speak (via Zoom or telephone) or leave a comment via voice mail at 843-579-6313. If requesting to speak, please provide your name and telephone number;
2. Request to speak (via Zoom or telephone) or leave a comment for City Council by completing the form at <http://innovate.charleston-sc.gov/comments/>.
3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

(City Council may give second reading, order to third reading, give third reading, and order engrossed for ratification any bill listed on the agenda as a second reading.)

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 220 Nassau Street (peninsula) (0.89 acre) (TMS #459-05-01-067) (Council District 4), be rezoned from Diverse Residential (DR-2) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by Charleston County School District. **(SECOND READING)**
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Ashley River Road (West Ashley) (1.53 acres) (TMS #354-12-00-004) (Council District 2), be rezoned from Single-Family Residential (SR-1) classification to Limited Business (LB) classification. The property is owned by Laura M. Smith. **(SECOND READING)**
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1970 Delaney Drive (James Island) (0.303 acre) (TMS

#340-00-00-099) (Council District 6), be rezoned from Single-Family Residential (SR-1) classification to Single-Family Residential (SR-4) classification. The property is owned by Jesse J. Richardson III. **(SECOND READING)**

4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-263, and the Daniel Island Master Plan zoning text, to make day care facilities a permitted use within the Daniel Island General Office Zone District..
5. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay for corrections and clarifications. **(AS AMENDED) (SECOND READING)**
6. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to the Design Review Board in order to establish board member alternates, prioritize placement of affordable/workforce housing projects on agendas, and limit the number of agenda items. **(SECOND READING)**

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. May 12, 2020

H. Citizens Participation Period

Please use one of the following methods to request to speak at the meeting or provide comments for City Council. Requests to speak at the meeting and comments must be received by 12:00 p.m., Tuesday, May 26th:

1. Request to speak or leave a comment via voice mail at 843-579-6313. If requesting to speak, please provide your name and telephone number;
2. Sign-up to speak or leave comments for City Council by completing the form at <http://innovate.charleston-sc.gov/comments/> by Tuesday, May 26th at 12:00 p.m.
3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

I. Petitions and Communications:

1. Appointment of Tracy Andres as a Tourism Enforcement Officer
2. Update on the City's response to COVID-19 - *Mayor John J. Tecklenburg and Shannon Scaff, Emergency Management Director*
3. Amendment to add health and safety standards (previously proposed section 3) to Ordinance No. 2020 - 060 Emergency Ordinance to decrease the risk of exposure to COVID-19 in restaurants and to authorize the use of new or additional space for outdoor dining. *(DEFERRED.)*

J. Council Communications:

K. Council Committee Reports:

- 1. Committee on Public Safety: (Meetings were held Wednesday, May 13, 2020 at 2:30 p.m., Thursday, May 14, 2020 at 2:30 p.m., and Friday, May 15, 2020 at 10:00 a.m.)**
 - a. Executive Session in accordance with S.C. Code Section 30-4-70(a)(1) to interview candidates for Municipal Judge (information only)
 - b. Executive Session in accordance with S.C. Code Section 30-4-70(a)(1) to discuss candidates for Municipal Judge (information only)
- 2. Committee on Traffic and Transportation: (Meeting was held Tuesday, May 26, 2020 at 1:45 p.m.)**
 - a. Folly Road at Formosa Drive/Yeamans Road SCDOT Signal Rebuild Update (information only)
 - b. Meeting Street and King Street Road Safety Audit (information only)
 - c. A report regarding open streets from the Bicycle and Pedestrian Advisory Committee
 - d. Director's Update
 - e. Discussion
- 3. Committee on Public Works and Utilities: (Meeting was held Tuesday, May 26, 2020 at 2:45 p.m.)**
 - a. Acceptances and Dedications:**
 - (i) Dedication and Acceptance of Quit Claim Deeds from SCDOT for portions of Bender St. *(To be sent under separate cover by the Public Service Department)*
 - b. Stormwater Management Department Update:**
 - (i) Approval to accept the National Fish and Wildlife Foundation (NFWF) Grant for Renaturalizing the Church Creek Drainage Basin. The grant scope includes engineering design plans, the development of education and outreach opportunities, and complete permitting for properties acquired by the City in the Church Creek basin. The grant includes \$125,000 of Federal Funds, a City Match of \$125,000 from the Drainage Fund, and In-Kind Services Matches of \$7,050 from the Nature Conservancy and \$4,000 from Clemson Extension.
 - (ii) Approval to enter into a Memorandum of Agreement with the Commissioners of Public Works (doing business as Charleston Water Systems) for in-contract Utility Work for the Huger and King Street Intersection Drainage Improvements Project.
 - (iii) Approval of the authority to use Eminent Domain if necessary for the acquisition of temporary construction easements for the Huger and King Street Intersection Drainage Improvements Project.

- (iv) Approval to request the South Carolina Department of Transportation remove S Market Street (S-214) from State Street to East Bay Street, be removed from the State Highway System and be turned over to the City to facilitate improvements to the Historic Charleston City Market.

4. Committee on Ways and Means:

(Bids and Purchases

(Recreation: Approve the contract between the City of Charleston and the Charleston County School District in the amount of \$94,500 to purchase meals to be served during the summer for children who participate in the school free/reduced lunch program. Funding is provided through the SC Department of Education to the City of Charleston as the local sponsoring agency.

(Police Department: Approval of a temporary Intergovernmental Agreement with Charlotte Mecklenburg PD for L/E services in preparation for, during, and after the 2020 Republican National Convention. All expenses will be reimbursed to the City.

(Police Department: Approval of a MOU between the CPD, Clemson University, University of Cincinnati, and East Side Community Development Corporation. The MOU will take effect if the CPD is awarded the Community Based Crime Reduction Grant. If the potential grant is awarded, the City will receive \$1,000,000 over three years with no City match.

(Parks-Capital Projects: Approval of a grant application for Land and Water Conservation Fund-Outdoor Recreation Legacy Partnership Program funding for the renovation of West Ashley Bikeway between Wappoo Road and Wantoot Blvd. The scope of work includes design, permitting and construction of a 10-foot-wide asphalt path, improved pedestrian crossings, and associated site improvements. The grant is for \$700,000 in Federal funds to be matched by \$700,000 in City funds for a total request of \$1,400,000. Funding for the match is included in the project budget of \$1,286,000. Funding sources for this project are: 2015 General Fund Reserves (\$380,000), 2018 General Fund Reserves (\$806,000), and Hospitality Funds (\$100,000).

(Parks-Capital Projects: Approval of FEMA-4241-DR-SC-0077 Huger St. Fire Station #8 Retrofit Fee Amendment #1 with Liollo Architecture in the amount of \$65,160 for additional design and permitting services related to stormwater management requirements, along with costs associated with a project delay and adoption of building code updates. These requirements were added as a result of the redevelopment standards adopted in late 2017. The grant application was initially submitted in 2016. Approval of Fee Amendment #1 will increase the Professional Services Contract by \$65,160 (from \$277,418 to \$342,578). Funding sources for this project are: FEMA Hazard Mitigation Grant (\$255,232) and General Fund Reserves (\$140,237).

(Parks-Capital Projects: Approval of the CPD Forensic Services Building Professional Services Contract with ESP Associates, Inc. for \$80,684.83 to replace P157074 for inspection and testing services beyond the original scope and anticipated schedule, including SWPPP inspections and project duration exceeding the estimated schedule prior to receipt of construction bids. Attached is a memo explaining the need for extending the services and for going over the \$50,000 procurement threshold for professional services. Approval of the Professional Services Contract will obligate \$80,684.83 of the \$12,392,186 project budget. Funding sources for this project are: 2015 IPRB (\$7,392,186) and 2017 IPRB (\$5,000,000).

- (Stormwater Management: Approval to accept the National Fish and Wildlife Foundation (NFWF) Grant for renaturalizing the Church Creek Drainage Basin. The grant will develop an engineering and design plan, test outreach and educational opportunities, and complete necessary permitting to restore natural floodplain function in the Church Creek Drainage Basin. Federal Funds - \$125,000, Local Match - \$136,550. Matching funds of \$125,000 are budgeted in the Stormwater Fund, in-kind match of \$500 from the City, \$7,050 in-kind match from The Nature Conservancy, and \$4,000 in-kind match from the Clemson Extension School. Total Match - \$136,550.
- (Stormwater Management: Approval to enter into a Memorandum of Agreement with Charleston Water Systems for in-contract work on the Huger/King intersection drainage improvement project. Reimbursement will be provided by CPW for expenses incurred in the contract for water and sewer utility work. Funding for this project is available in the Cooper River Bridge TIF.
- (Fire Department: Approval to submit the 2020 Assistance to Firefighter Supplemental Grant for \$171,892 to reimburse and purchase PPE and decon equipment related to COVID. This includes \$46,000 in purchased equipment. There is a required 10% match of \$17,189.20, which has already been expended with PPE already purchased. This is an after-the-fact request.
- (Approval of the Parking Agreement between the City of Charleston and Madison Capital for the advanced lease payment and lease of parking in the future municipal parking lot known as the Trolley Barn lot. *(To be sent under separate cover by the Real Estate Department)*
- (Consider the following annexations:
- 230 Yates Avenue (TMS# 343-05-00-042) 0.24 acre, James Island (District 11). The property is owned by Elizabeth Lovett and David Stickel.
 - 1837 Bentgrass Court (TMS# 334-03-00-023) 0.61 acre, James Island (District 12). The property is owned by David W Dunn Trust.

Give first reading to the following bills from Ways and Means:

An ordinance to provide for the annexation of property known as 230 Yates Avenue (0.24 acre) (TMS# 343-05-00-042), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Elizabeth Lovett and David Stickel.

An ordinance to provide for the annexation of property known as 1837 Bentgrass Court (0.61 acre) (TMS# 334-03-00-023), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 12. The property is owned by David W Dunn Trust.

L. Bills up for Second Reading:

(City Council may give second reading, order to third reading, give third reading, and order engrossed for ratification any bill listed on the agenda as a second reading.)

1. *An ordinance to make additional appropriations to meet the liabilities of the City of Charleston for the fiscal year ending December 31, 2019.*

2. *An ordinance to recognize the usage of additional funds to meet additional appropriations authorized by Ordinance 2020-_____ for the fiscal year ending December 31, 2019.*
3. *An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend Section 54-505(c) pertaining to the exception for maximum allowed height for properties located in a special flood hazard area within the Conservation, RR-1, SR-1, SR-2, SR-6, SR-7 and STR zoning districts. (DEFERRED FOR PUBLIC HEARING)*
4. *An ordinance to provide for the annexation of properties on Maybank Highway (3.5 acres) (TMS# 313-00-00-034; 313-00-00-035), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The properties are owned by William Stephen Harris. (DEFERRED)*
5. *An ordinance to provide for the annexation of property on Maybank Highway (2.05 acre) (TMS# 313-00-00-306), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by LMC, LLC. (DEFERRED)*
6. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to incorporate provisions to allow subdivision and development of Single Family Detached Affordable Housing as a conditional use within multiple base zoning districts. (DEFERRED FOR PUBLIC HEARING)*
7. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to Planning Commission composition to establish commission member alternates and to update other applicable sections related to Planning Commission Rules and Procedures. (DEFERRED FOR PUBLIC HEARING)*
8. *An ordinance to amend Chapter 27, Stormwater Management and Flood Control, of the Code of the City of Charleston, to add a new Article IV to provide fill requirements for all new construction, developments, and redevelopments within the City. (DEFERRED)*
9. *An ordinance to amend Chapter 29, Article V1, Sec. 29-240 of the Code of the City of Charleston pertaining to the procedure of accident reporting. (DEFERRED)*
10. *An ordinance to amend Article III (Stormwater Management Utility) of Chapter 27 (Stormwater Management and Flood Control) of the Code of the City of Charleston, South Carolina, by eliminating the "Homestead Exemption" in Sec. 27-140(a), applicable to the payment of Stormwater Utility Fees; by deleting Sec. 27-132(j), (k), and (l), which contain certain findings associated with the adoption of the "Homestead Exemption" with respect to Stormwater Utility Fees; and to provide that the elimination of the "Homestead Exemption" in Sec. 27-140(a) shall not apply until January 1, 2020. (DEFERRED FOR PUBLIC HEARING)*
11. *An ordinance to provide for the annexation of property known as 1415 S Edgewater Drive (0.72 acre) (TMS# 349-13-00-095), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Robert F. Kauffmann.(DEFERRED)*

12. An ordinance to provide for the annexation of property known as 1389 River Road (10.94 acres) (TMS# 311-00-00-025), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Knapp A Partnership. (DEFERRED)
13. An ordinance to provide for the annexation of property known as 1381 River Road (1.28 acres) (TMS# 311-00-00-097), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Knapp A Partnership. (DEFERRED)

M. Bills up for First Reading

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 276 Coming Street (Peninsula) (0.07 acre) (TMS #460-04-04-003) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by Matthew Black Lineberger. (The Planning Commission recommends disapproval.) (TO BE WITHDRAWN AT THE REQUEST OF THE APPLICANT)
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1815 Beechwood Road (West Ashley) (0.65 acre) (TMS #354-07-00-101) (Council District 2), be rezoned from Single-Family Residential (SR-6) classification to Diverse Residential (DR-6) classification. The property is owned by Matt and Angela Chambers. (DEFERRED)
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is part thereof, so that property located on River Road, Summerland Drive, and Oakville Plantation Road (Johns Island) (126.95 acre) (TMS #317-00-00-007, 317-00-00-011, 317-00-00-012, 317-00-00-075, 317-00-00-076, and 317-00-00-089) (Council District 5), be zoned, and existing Light Industrial (LI) classification be rezoned to Planned Unit Development (PUD) classification. The property is owned by Keith W . Lackey, Gail Grimball, and Gary S. Worth. (DEFERRED)
4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to make rooftop eating and drinking places subject to the approval of a special exception in the GB, UC, MU-2, MU-2/WH, and UP base zoning districts, adopt regulations for rooftop eating and drinking places in the GB, UC, MU-2, MU-2/WH, and UP base zoning districts, and prohibit rooftop eating and drinking places in all other base zoning districts. (DEFERRED)
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of former Summerville Avenue right-of-way (Peninsula Neck) (approximately 1.4 acres) (Unzoned Right-of-Way) (Council District 4), be zoned General Business (GB) classification. The property is former right-of-way deeded to adjacent property owners. (DEFERRED)

N. Miscellaneous Business:

1. City Council Budget Workshop: Thursday, June 4, 2020 at 3:00 p.m.

2. The next regular meeting of City Council will be Tuesday, June 9, 2020 at 5:00 p.m.

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, May 26, 2020 beginning at 5:00 p.m. via virtual conference call at 1-929-205-6099, Access Code: 912096416 on the request that the Zoning Ordinance of the City of Charleston be changed in the below respects. The public may participate using one of the following options:

Requests to speak at the meeting and comments must be received by 12:00 p.m., Tuesday, May 26th:

1. Request to speak (via Zoom or telephone) or leave a comment for City Council via voice mail at 843-579-6313. If requesting to speak, please provide your name and telephone number;
2. Request to speak (via Zoom or telephone) or leave a comment for City Council by completing the form at <http://innovate.charleston-sc.gov/comments/>
3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

REZONINGS

1. To rezone 220 Nassau Street (*Meeting Street Manor/Cooper River Court – Peninsula*) (Approx. 0.89 acres) (TMS # 459-05-01-067) from Diverse Residential (DR-2) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification.
2. To rezone Ashley River Road (*West Ashley*) (Approx. 1.53 acres) (TMS # 354-12-00-004) from Single-Family Residential (SR-1) classification to Limited Business (LB) classification.
3. To rezone 1970 Delaney Drive (*James Island*) (Approx. 0.303 acre) (TMS # 340-00-00-099) from Single-Family Residential (SR-1) classification to Single-Family Residential (SR-4) classification.

ORDINANCE AMENDMENTS

1. To amend an ordinance providing for an amendment of the Daniel Island Master Plan Section 3.2(4)(2)(7) by deleting “or day care facilities” and adding attached Section 3.2(4)(8) “Day care facility.”
2. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone for corrections and clarifications.
3. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to the Design Review Board in order to establish board member alternates, prioritize placement of affordable/workforce housing projects on agendas, and limit the number of agenda items.

VANESSA TURNER MAYBANK
Clerk of Council

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Please insert as a Display Ad in the Post Courier on Sunday, May 10, 2020. Charge account PC103190.

Please insert as a Display Ad in the Charleston Chronicle on Wednesday, May 13, 2020. **Please provide an affidavit of publication for all public hearings.**

CITY OF CHARLESTON PLANNING COMMISSION

MEETING OF FEBRUARY 19, 2020

A special meeting of the City of Charleston Planning Commission was held at 3:30 p.m. on Wednesday, February 19, 2020 in the Public Meeting Room, 1st Floor, 2 George St. A regular meeting of the City of Charleston Planning Commission was held at 5:00 p.m., on Wednesday, February 19, 2020 in the Public Meeting Room, 1st Floor, 2 George St. The applications below were considered at the regular meeting:

SPECIAL MEETING

CHARLESTON CITY PLAN ORIENTATION

Orientation to the 2020 update of the City's Comprehensive Plan: Charleston City Plan. The orientation will provide an overview of the state requirements for comprehensive plans, the role of Planning Commissioners, a summary of efforts undertaken thus far and the proposed planning schedule for 2020.

REGULAR MEETING

APPROVAL OF MINUTES

Commission approval of minutes from the Planning Commission January 2020 meeting.

APPROVAL (8-0)

REZONINGS

1. a portion of 1320 King Street Extension (Silver Hill/Magnolia - Peninsula) TMS # 4641400191 – approx. 0.94 ac. Request rezoning from 8 and 2.5 Old City Height District Classification to 4-12 Old City Height District Classification.

RECOMMEND APPROVAL (7-0) (PFLUG RECUSED)

2. 220 Nassau St (Meeting St Manor/Cooper River Court – Peninsula) TMS # 4590501067 – approx. 0.89 ac. Request rezoning from Diverse Residential (DR-2) to Mixed-Use/Workforce Housing (MU-1/WH).

RECOMMEND APPROVAL (8-0)

3. Laurel Island, TMS # 4640000006, 002, 023, 038, 4590200013, and 4611393924 – approx. 196.1 ac. Request rezoning from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) to Planned Unit Development (PUD) (Laurel Island).

DEFERRED BY APPLICANT

4. Ashley River Rd (West Ashley) TMS # 3541200004 – approx. 1.53 ac. Request rezoning from Single-Family Residential (SR-1) to Limited Business (LB).

RECOMMEND APPROVAL (8-0)

5. 295 Calhoun St (Harleston Village – Peninsula) TMS # 4570202001 – approx. 2.1 ac. Request rezoning from Height District 85/30 (85 feet/30 feet) Classification to Height District 7 (7 stories) Classification.

DEFERRED BY APPLICANT

6. 625 Saint Andrews Blvd (Westwood – West Ashley) TMS # 4210200240 – approx. 0.33 ac. Request rezoning from Single-family Residential (SR-2) to Residential Office (RO).

RECOMMEND DISAPPROVAL (8-0)

7. 1970 Delaney Dr (James Island) TMS # 3400000099 – approx. 0.303 ac. Request rezoning from Single-Family Residential (SR-1) to Single-Family Residential (SR-4).

RECOMMEND APPROVAL (8-0)

SUBDIVISION

1. Maybank Highway (Indigo Grove – Johns Island) TMS # 3450000090 – 32.83 ac. 118 lots. Request for subdivision concept plan approval. Zoned Planned Unit Development (PUD - Kerr Tract).

APPROVAL WITH CONDITIONS (8-0)

ORDINANCE AMENDMENTS

1. Request approval of an ordinance providing for an amendment of the Daniel Island Master Plan Section 3.2(4)(2)(7) by deleting “or day care facilities” and adding attached Section 3.2(4)(8) “Day care facility.”

RECOMMEND APPROVAL (8-0)

2. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by deleting Part 16 Cluster Development, and replacing said part with a new Part 16 Conservation Development, to increase provisions to preserve natural features of the existing landscape; allow for a variety of housing types; reaffirm the importance of smart and creative stormwater management that integrates natural systems and minimizes impervious surfaces; and provide for the incorporation of low-impact development techniques to support overall health and sustainability of the neighborhood.

DEFERRED

3. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to Planning Commission composition to establish commission member alternates and to update other applicable sections related to Planning Commission rules and procedures.

DISCUSSED, DEFERRED FOR FURTHER REVIEW

4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone for corrections and clarifications.

RECOMMEND APPROVAL (8-0)

ZONINGS

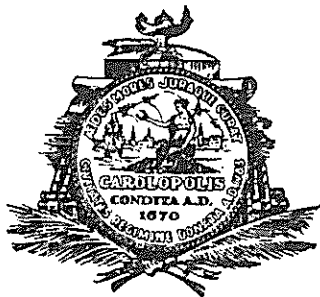
1. 1320 King St Ext (Silver Hill/Magnolia - Peninsula) TMS # 4641400191 – approx. 1.50 ac. Request zoning of Upper Peninsula District (UP). Previously unzoned right-of-way.

RECOMMEND APPROVAL (7-0) (PFLUG RECUSED)

2. a portion of Bender St (Maryville/Ashleyville - West Ashley) TMS # to be assigned – approx. 0.13 ac. Request zoning of Single-Family Residential (SR-2). Previously unzoned right-of-way.

RECOMMEND APPROVAL (7-0) (PFLUG RECUSED)

E1.)



Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 220 NASSAU STREET (PENINSULA) (0.89 ACRE) (TMS #459-05-01-067) (COUNCIL DISTRICT 4), BE REZONED FROM DIVERSE RESIDENTIAL (DR-2) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-1/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY CHARLESTON COUNTY SCHOOL DISTRICT.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Diverse Residential (DR-2) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification.

Section 2. The property to be rezoned is described as follows:
220 Nassau Street (Peninsula) (0.89 acre) (TMS #459-05-01-067)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord _____, in the _____ Year of Independence of the United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 2

220 Nassau St (Peninsula)

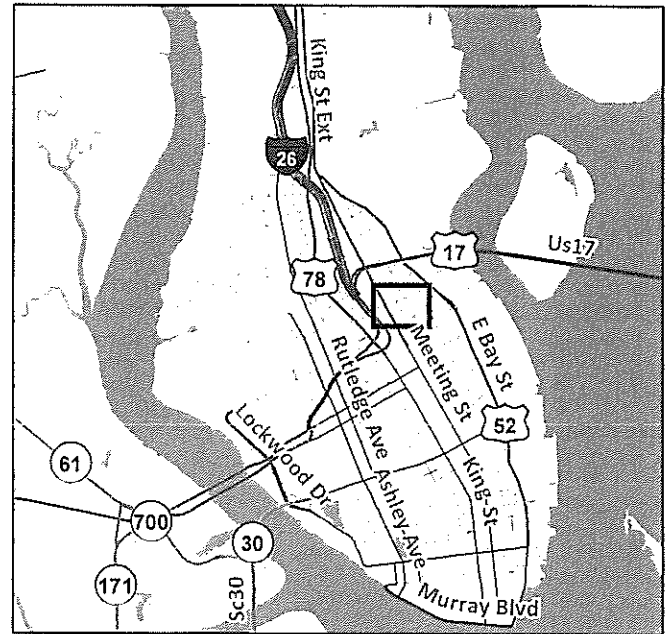
TMS # 4590501067

approx. 0.89 ac.

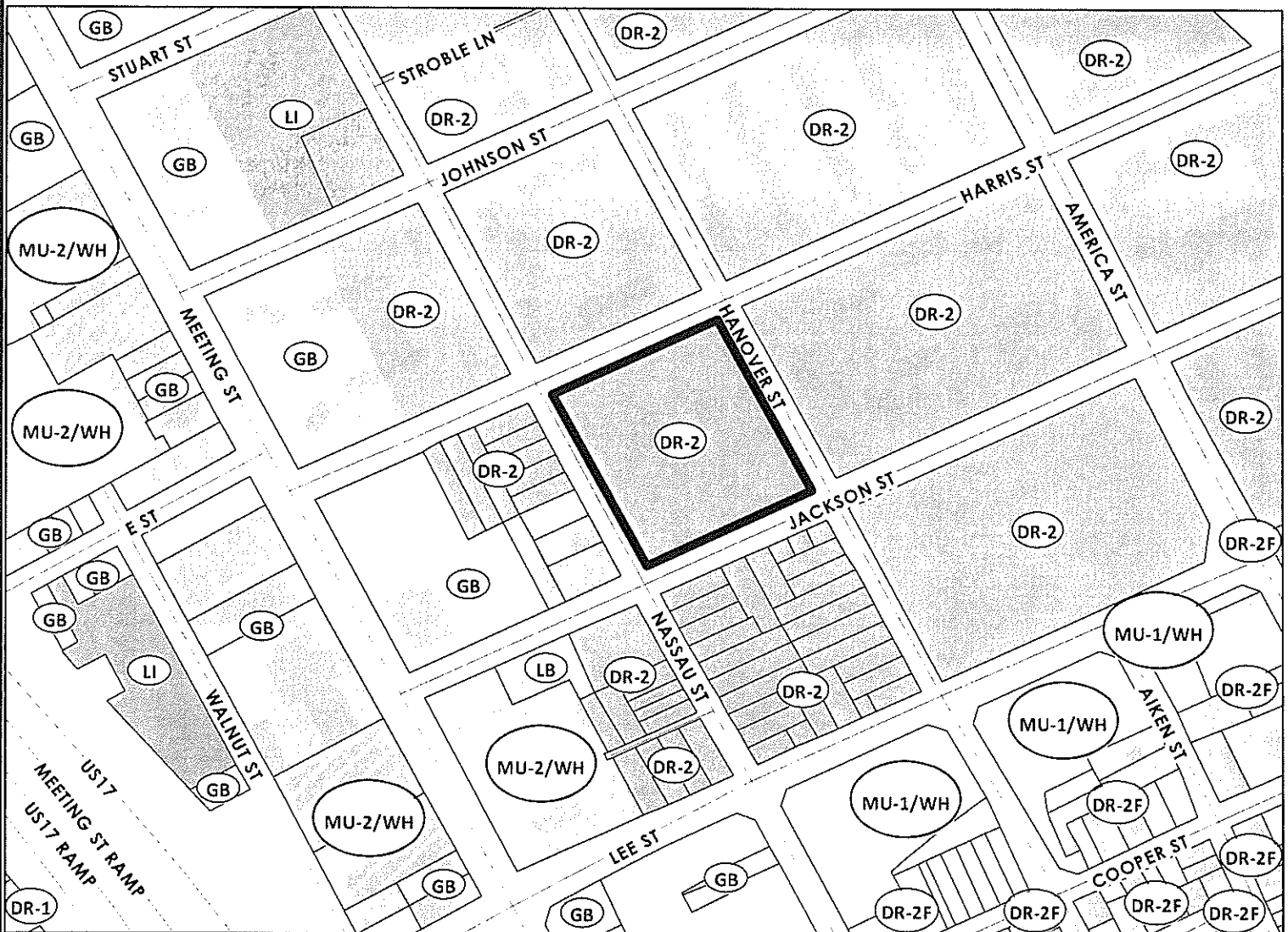
Request rezoning from Diverse-Residential (DR-2) to
Mixed-Use/Workforce Housing (MU-1/WH).

Owner: Charleston County School District
Applicant: The Humanities Foundation, Inc.

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT ASHLEY RIVER ROAD (WEST ASHLEY) (1.53 ACRES) (TMS #354-12-00-004) (COUNCIL DISTRICT 2), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO LIMITED BUSINESS (LB) CLASSIFICATION. THE PROPERTY IS OWNED BY LAURA M. SMITH.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Single-Family Residential (SR-1) classification to Limited Business (LB) classification.

Section 2. The property to be rezoned is described as follows:
Ashley River Road (West Ashley) (1.53 acres) (TMS #354-12-00-004)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord _____, in the _____ Year of Independence of the United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 4

Ashley River Rd (West Ashley)

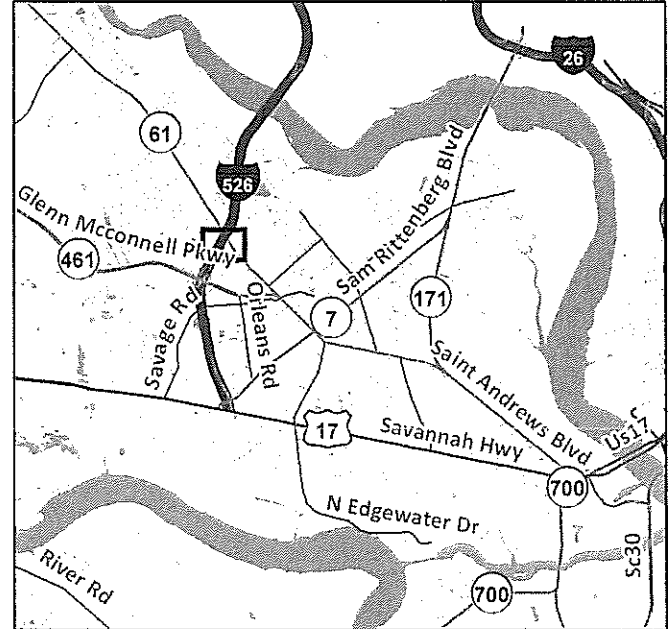
TMS # 3541200004

approx. 1.53 ac.

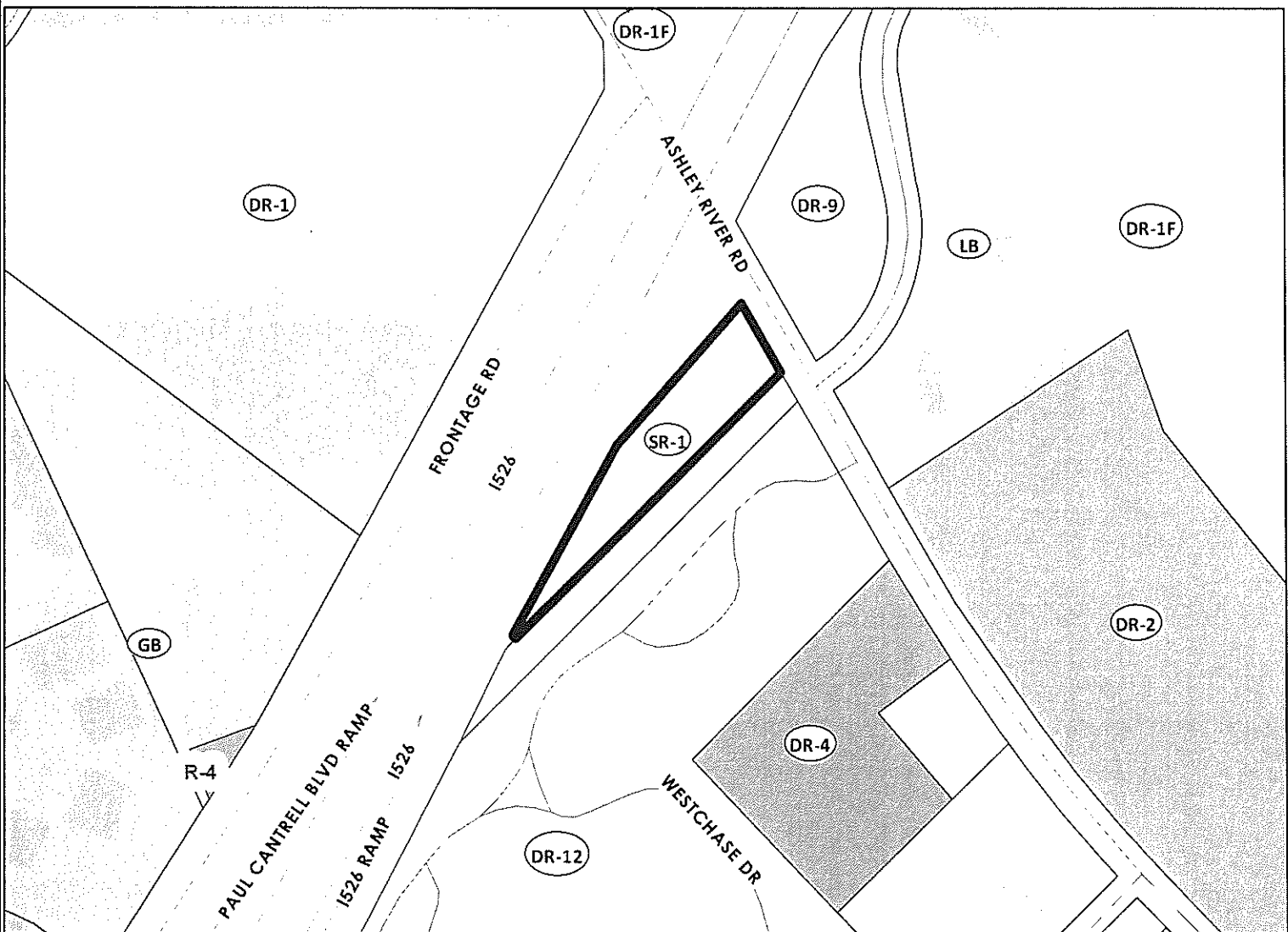
Request rezoning from Single-Family Residential (SR-1)
to Limited Business (LB).

Owner and Applicant: Laura M. Smith

Area



Location





Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1970 DELANEY DRIVE (JAMES ISLAND) (0.303 ACRE) (TMS #340-00-00-099) (COUNCIL DISTRICT 6), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO SINGLE-FAMILY RESIDENTIAL (SR-4) CLASSIFICATION. THE PROPERTY IS OWNED BY JESSE J. RICHARDSON III.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Single-Family Residential (SR-1) classification to Single-Family Residential (SR-4) classification.

Section 2. The property to be rezoned is described as follows:
1970 Delaney Drive (James Island) (0.303 acre) (TMS #340-00-00-099)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord _____, in the _____ Year of Independence of the United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 7

1970 Delaney Rd (James Island)

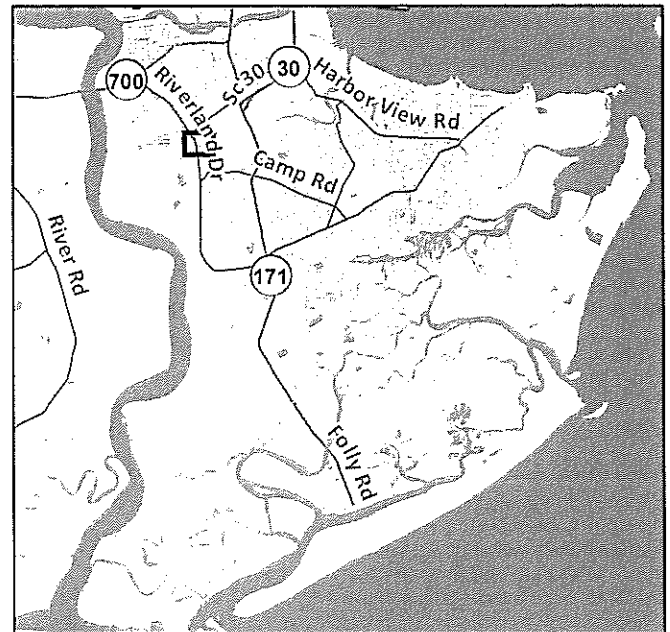
TMS # 340000099

approx. 0.303 ac.

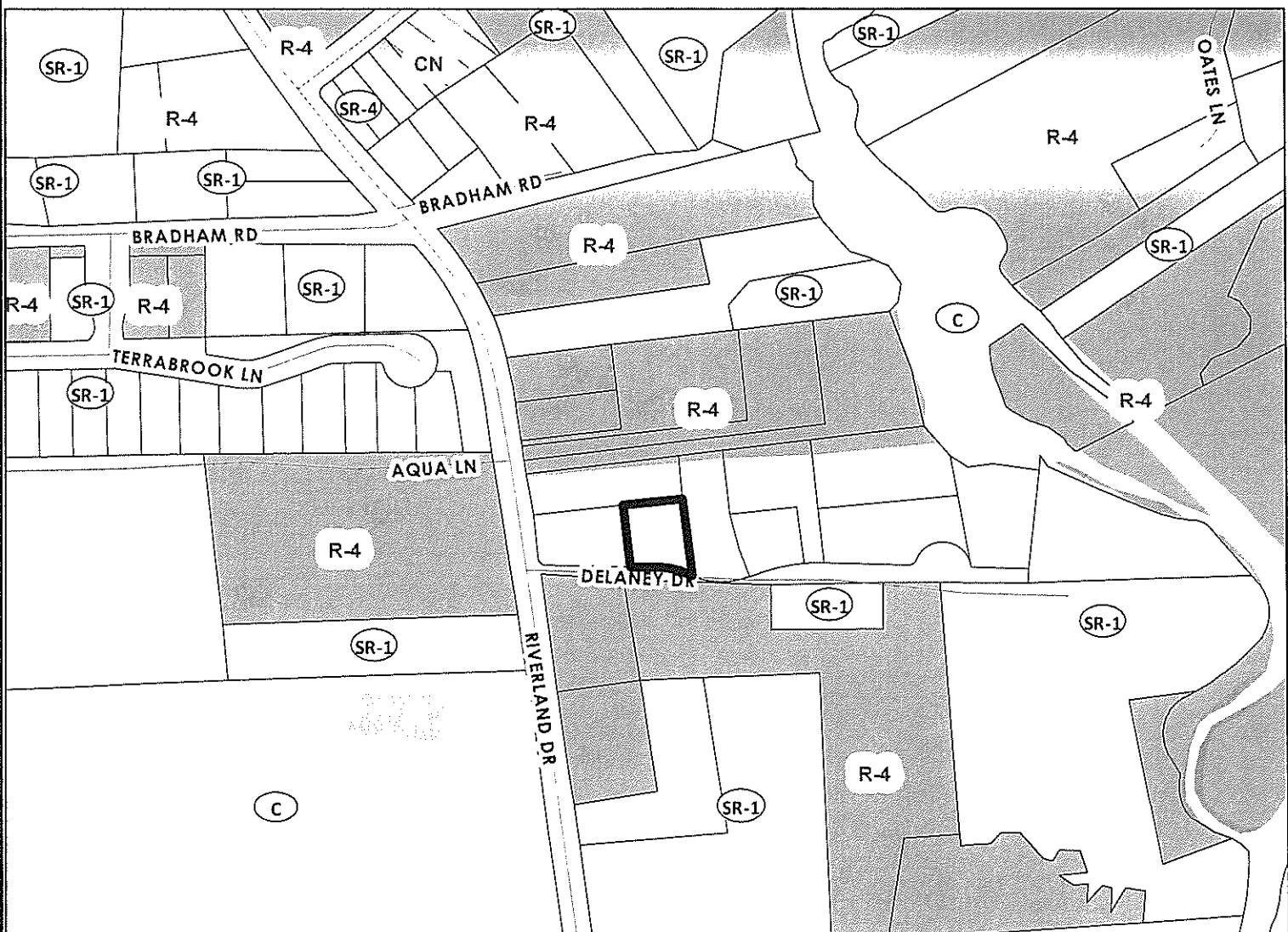
Request rezoning from Single-Family Residential (SR-1)
to Single-Family Residential (SR-4)

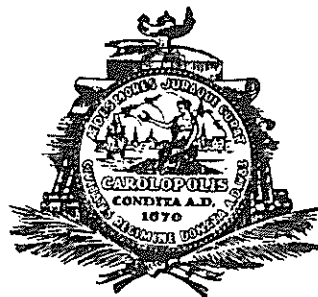
Owner and Applicant: Jesse J. Richardson III

Area



Location





Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-263, AND THE DANIEL ISLAND MASTER PLAN ZONING TEXT, TO MAKE DAY CARE FACILITIES A PERMITTED USE WITHIN THE DANIEL ISLAND GENERAL OFFICE ZONE DISTRICT.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Section 54-263 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting text shown below with a **bold double underline**:

“Within the DI-PUD District, land may be used and buildings erected, altered, or used pursuant to the Daniel Island Master Plan Zoning Text, adopted by Ordinance 1993-32 on March 23, 1993; and amended by Ordinance 1994-440 on December 20, 1994, and Ordinance 1995-160 on May 9, 1995; and Ord. No. 2015-075, §§ 1, 2, on July 21, 2015; and amended by Ord. No. 2015-141, §§ 1, 2, on October 13, 2015; and amended by Ord. No. 2019-023, on April 9, 2019; and amended by Ord. No. 2020-003, on January 14, 2020; **and amended by Ord. No. 2020-____, on _____, made a part hereof.**”

Section 2. Section 3.2(4) Daniel Island General Office Zone, of the Daniel Island Master Plan Zoning Text, which is part of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by amending subsection 3.2(4)(2)(7): to read as follows (deleted text in **~~bold strikethrough~~**):

“3.2(4)(2)(7) Cafeteria and/or coffee shop or snack bar, apothecary, communication facilities, recreational facilities, ~~or day care facilities~~ may be included as tenants’ accessory uses.”

Section 3. Section 3.2(4): Daniel Island General Office Zone, of the Daniel Island Master Plan Zoning Text, which is part of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting text shown below with a **bold double underline**:

“3.2(4)(9) Day care facilities.”

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2020,
and in the _____ Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank
Clerk of Council



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-220 ACCOMMODATIONS OVERLAY ZONE FOR CORRECTIONS AND CLARIFICATIONS. (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That Section 54-220, b. 1., of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by revising subsection (1) to correct the description of hotels that count toward the cap on the total number of full-service hotels on the peninsula by making the following changes:

“(1) the proposed accommodations use will not result in there being more than eight (8) Full-Service Hotels on the peninsula, inclusive of those Full-Service Hotels existing on the peninsula and those with approved special exceptions as of the effective date of this ordinance; for purposes of this subsection (1) only, a Full-Service Hotel means ~~(1)~~ a Full-Service Hotel as defined in subsection (i); ~~and (2) any accommodations use on the peninsula~~ having in excess of 150 sleeping units; and”

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2020,
and in the _____ Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING APPLICABLE SECTIONS RELATED TO THE DESIGN REVIEW BOARD IN ORDER TO ESTABLISH BOARD MEMBER ALTERNATES, PRIORITIZE PLACEMENT OF AFFORDABLE/WORKFORCE HOUSING PROJECTS ON AGENDAS, AND LIMIT THE NUMBER OF AGENDA ITEMS.

Section 1. That Section 54-269 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with ~~strikethrough~~ and adding text shown below with double underline:

“Sec. 54-269. - Design Review Board created; composition, appointment and terms of members.

a. A Design Review Board is hereby established. Such board shall consist of seven (7) board members and two (2) alternates who do not hold any other public office or position in the City of Charleston and are appointed by City Council. Board members shall be citizens of the City of Charleston, with the exception of the professions required by this ordinance who may be non-citizen owners or principals of a business within the City of Charleston. These members and alternates shall have a demonstrated interest in, and a competence and knowledge of architecture, landscape architecture and urban design. The Board, ~~and~~ shall include four (4) design professionals including at least one (1) registered architect, one registered landscape architect, one (1) professional engineer, and one (1) realtor/development professional. The board shall elect one of its members chairman, who shall serve for one year or until he is re-elected or his successor is elected and qualified. ~~The board shall appoint a secretary who may be an officer of the governing authority.~~ The board shall adopt rules of procedure.

b. Board members and alternates shall serve staggered terms of four (4) years or until their successors are appointed as described in the Code of the City of Charleston Sec. 2-152. The initial terms of three (3) of seven (7) members first appointed shall expire on the date of the first regular City Council meeting in January next following their appointment, and the initial terms of the other four (4) of the seven (7) members first appointed shall expire on the date of the first regular

City Council meeting in January two years thereafter. Following the initial term, the terms of all members shall be four years. No member shall serve more than two successive four-year terms. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

c. Alternate members, when seated, have all the powers and duties of regular members. Alternate members may always attend meetings but shall only participate in Board deliberations and debate, make motions and vote in the absence or voting disqualification of a regular member or the vacancy of a regular member's seat."

Section 2. That Section 54-273 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to revise the section title and first paragraph by deleting text shown below with ~~strikethrough~~ and adding text shown below with double underline:

~~"Sec. 54-273. - Approval procedures.~~ Application and review procedures.

The procedures outlined below are to be followed for all projects seeking approval by the Board or administrative officer. Submittals must be complete and shall be received by the Urban Design and Preservation Division Department of Planning, Preservation and Sustainability, or its successor department, in accordance with the published schedule of deadlines and meeting dates and submittal requirements. ~~at least eight (8) days prior to the date of the next scheduled Board meeting."~~

Section 3. That Section 54-273 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to inserting new subsection g. in alphabetical order as shown below:

"g. Affordable/Workforce Housing Projects: Projects which include affordable or workforce housing units that are submitted by the application deadline and which comply with all submittal requirements shall be placed on the agenda of the next regularly scheduled meeting of the Board, subject to Rules of the Board if any, that limit the number of items on agenda. This does not apply to projects that opt to pay fee in lieu of workforce housing."

Section 4. That Appendix K, Article I, Section 1 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below adding text shown below with double underline:

"Section 1. - Rules.

These rules of procedure are adopted pursuant to S.C. Code 6-29-870 for the City of Charleston Design Review Board, which consist of seven (7) members and two (2) alternates appointed by City Council.“

Section 5. That Appendix K, Article I, Section 4 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with ~~striketrough~~ and adding text shown below with double underline:

“Section 4. - Terms of ~~Members~~ Office.

The Chairman and Vice-Chairman shall serve for one year or until he is re-elected or his successor is elected and qualified. ~~The initial terms of three (3) of seven (7) members first appointed shall expire on the date of the first regular City Council meeting January next following their appointment, and the initial terms of the other four (4) of the seven (7) members first appointed shall expire on the date of the first regular City Council meeting in January two years thereafter. Following the initial term, the terms of all members shall be four (4) years. No member shall serve more than two successive four year terms. An appointment to fill a vacancy shall only be~~ for the unexpired portion of the term.”

Section 6. That Appendix K, Article II, Section 3 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding text shown below with double underline:

“Section 3. - Agenda.

A written agenda shall be furnished by the secretary staff to each member of the Board and the news media and shall be posted at least five (5) days prior to each regular meeting, and at least twenty four (24) hours prior to a special meeting. Items may be removed from the agenda or postponed at a meeting by a majority vote. An agenda for the Board shall contain no more than ten (10) applications. The Board may waive these limitations, upon request of the staff.”

Section 7.

This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of
_____ in the Year of Our Lord, 2019,
and in the ____ Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



City of Charleston

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MEMORANDUM

TO: Mayor Tecklenburg and
City Councilmembers

FROM: Dan Riccio
Director of Livability and Tourism

RE: Code Enforcement Officers

DATE: May 20, 2020

Please be advised that I am kindly requesting that you authorize the following City of Charleston employee to issue municipal summons and to be added to the Code Enforcement Officers' List.

Trace Andres