

AMENDED

City Hall
80 Broad Street
January 28, 2020
5:00 p.m.

State of the City Address
7:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Sakran

C. Pledge of Allegiance

D. Presentations and Recognitions

E. Public Hearings

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 7 Calhoun Street (Peninsula) (approximately 1.798 acres) (TMS #458-01-02-064 and 458-01-02-067) (Council District 1), be rezoned from Mixed Use (MU-2) classification to Planned Unit Development (Gadsdenboro Park PUD) classification. The property is owned by RB Charleston LLC. **(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 7 Calhoun Street (Peninsula) (approximately 1.798 acres) (TMS #458-01-02-064 and 458-01-02-067) (Council District 1), be rezoned from 30/56V Old City Height District Classification to 6 Story Old City Height District Classification. The property is owned by RB Charleston LLC. **(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 32 Line Street (Peninsula) (0.07 acre) (TMS #459-05-03-025) (Council District 4), be rezoned from Diverse Residential (DR-2F) classification to Residential Office (RO) classification. The property is owned by Michael George.
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 101 Sycamore Avenue (101 Paula Drive) (West Ashley) (0.26 acre) (TMS #418-09-00-075) (Council District 9), be rezoned from Single-Family Residential (SR-2) classification to Residential Office (RO) classification. The property is owned by David Nauheim.
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 1565 Hutton Place (West Ashley) (0.49 acre) (TMS #353-11-00-003) (Council District 7), annexed into the City of Charleston November 26, 2019

(#2019-122), be zoned Single-Family Residential (SR-1) classification. The property is owned by Natasha Chisolm and Tanya Chisolm.

6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone map, which is a part thereof, so that 758 Arcadian Way (West Ashley) (0.33 acre) (TMS #418-15-00-063) (Council District 3), annexed into the City of Charleston November 26, 2019 (#2019-121), be zoned Single-Family Residential (SR-1) classification. The property is owned by John and Chantal Byrne.
7. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1440 Dorset Lane (West Ashley) (0.3 acre) (TMS #352-09-00-081) (Council District 9), annexed into the City of Charleston December 3, 2019 (#2019-130), be zoned Single-Family Residential (SR-1) classification. The property is owned by Shelia D. Pace.
8. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1249 Wisteria Road (West Ashley) (0.19 acre) (TMS #351-12-00-111) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-139), be zoned Single-Family Residential (SR-2) classification. The property is owned by Rachel Carson Holling.
9. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1701 Woodcrest Avenue (West Ashley) (0.25 acre) (TMS #351-11-00-021) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-140), be zoned Single-Family Residential (SR-1) classification. The property is owned by Gregory R. Thomas.
10. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1623 Woodcrest Avenue (West Ashley) (0.24 acre) (TMS #351-11-00-027) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-138), be zoned Single-Family Residential (SR-1) classification. The property is owned by Kristen and Eric Chappell.
11. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 403 Fleming Road (James Island) (0.96) (TMS #343-07-00-067) (Council District 11), to be annexed into the City of Charleston December 3, 2019, be zoned Light Industrial (LI) classification. The property is owned by 403 Fleming, LLC. **(SECOND READING)**
12. An ordinance to amend Article 3, Part 2, Sec. 54-306 through 54-306.V, Old City Height Districts, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance), for corrections and clarifications. **(AS AMENDED) (SECOND READING)**

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. December 17, 2019
2. December 19, 2019

H. Citizens Participation Period

I. Petitions and Communications:

1. Appointments

a. Board of Zoning Appeals – Zoning:

- Howell Morrison

b. Bicycle and Pedestrian Advisory Committee:

- Marijana Boone (Reappointment)

- David Lewin (Reappointment)

- Steve Saltzman

- Najeema Washington

- Bowen Powell

- Gervais Del Porto

c. Planning Commission:

- Chaun Pflug

- Jimmy Bailey

- Dr. Eddie Irions, Jr.

- Yvonne Fortenberry (Alternate)

- Cathy Kleiman (Alternate)

J. Council Communications:

i. Receipt of Commission on Women's Resolution on Paid Family Leave Care and request for Council's approval to forward Resolution to HR Committee for vetting and discussion with HR and Finance staff, prior to consideration by HR Committee and Council. *(Requested by Councilwoman Jackson)*

ii. A Resolution urging the South Carolina General Assembly to adopt H. 3063, "Hate Bill." *(Requested by Councilmember Perry K. Waring)*

K. Council Committee Reports:

1. Committee on Public Safety: (Meeting was held Tuesday, January 21, 2020 at 4:30 p.m.)

a. Good Deed Award Program between the City of Charleston Police Department and The Citadel Athletic Department

b. An ordinance to amend Chapter 28, Section 45, of the Code of the City of Charleston, South Carolina, to provide in subsection (f)(3) that a person convicted of a third or subsequent violation of this section may be prohibited from returning to the streets and sidewalks delineated in section (b) for a period of sixty (60) days .

c. An ordinance to amend Chapter 21, Section 67, of the Code of the City of Charleston, South Carolina, to provide in subsection 67(h)(3) that if an abandoned watercraft is removed by the City all costs associated with the removal shall become a lien against

the watercraft and that the City may bring an action to recover these costs from the owner.

Give first reading to the following bills from Public Safety:

An ordinance to amend Chapter 28, Section 45, of the Code of the City of Charleston, South Carolina, to provide in subsection (f)(3) that a person convicted of a third or subsequent violation of this section may be prohibited from returning to the streets and sidewalks delineated in section (b) for a period of sixty (60) days.

An ordinance to amend Chapter 21, Section 67, of the Code of the City of Charleston, South Carolina, to provide in subsection 67(h)(3) that if an abandoned watercraft is removed by the City all costs associated with the removal shall become a lien against the watercraft and that the City may bring an action to recover these costs from the owner.

(Meeting was held Tuesday, January 28, 2020 at 2:00 p.m.)

- a. Fire Station #11 Update
- b. Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code to receive legal advice relating to Fire Station #11 if necessary
- c. A Resolution urging the South Carolina General Assembly to adopt H. 3063, "Hate Bill."
(Requested by Councilmember Perry K. Waring)

2. Committee on Traffic and Transportation: (Meeting was held Monday, January 27, 2020 at 1:45 p.m.)

- a. Introduction to Charleston County Transportation Development Staff (information only)
- b. Traffic Signal Maintenance Agreement Update (information only)
- c. Director's Update

3. Committee on Public Works and Utilities: (Meeting was held Tuesday, January 28, 2020 at 2:30 p.m.)

a. Acceptance and Dedication of Rights-of-Way and Easements

- Approval to notify SCDOT that the City intends to accept maintenance of 720LF concrete sidewalk, granite curb and street trees at Washington Street (S-1022) and (S-2387) and Vernon Street (S-221) in conjunction with the project at 31 & 32 Laurens Street

b. Stormwater Management Department Update:

- (i) Medical District Tunnel Extension Project – Professional Services Contract Amendment #1 with Davis & Floyd to Complete Design of the Ehrhardt Street Tunnel for \$575,510,00.
- (ii) Spring-Fishburne Drainage Project - Professional Services Contract with Johnson, Mirmiran, and Thompson, Inc. for the Monitoring of Mitigation Projects for \$88,237.00

- (iii) Market Street Drainage Improvements and Streetscape – Professional Services Contract Amendment #14 with Davis & Floyd for Additional Design Services for \$58,500.00.
- (iv) Ordinance to Amend the Stormwater Design Standards Manual and Increase Fees Associated with Stormwater Plan Review, Stormwater Inspections, and Transfers.
- (v) Authorize staff to prepare amendments to the Construction Noise Ordinance adopted by the Public Works and Utilities Committee
- (vi) Stormwater Project Updates

Give first reading to the following bill from Public Works and Utilities:

An ordinance amending the Stormwater Design Standards Manual as set forth in “Exhibit I,” attached hereto and incorporated herein by reference, to provide updates reflecting advances in technology and experience related to stormwater management and to increase the fees associated with stormwater plan review, stormwater inspections, and transfers.

4. Committee on Ways and Means:

(Bids and Purchases)

- (Mayor’s Office for Children Youth and Families: Approval to accept a grant award in the amount of \$200 from Youth Volunteer Corps to engage Charleston area youth in an environmental service-learning project. This grant was submitted on December 1, 2019. No City match is required. This is an after-the-fact approval.
- (Mayor’s Office for Children Youth and Families: Approval to accept the Youth Service America Lead Agency grant award of \$2,000 to engage youth in service on nationally recognized service dates including the 2020 MLK Day of Service and the 2020 Global Youth Service Day. No City match is required.
- (Stormwater Management: Approval of Market Street Drainage Improvements and Streetscape Fee Amendment #14 with Davis & Floyd in the amount of \$58,500.00 for additional engineering services related to pedestrian refuge area and brick crosswalks, extended project management and coordination through TRC, and extended coordination for landscaping plans. Approval of Fee Amendment #14 will increase the Division III portion of the overall Professional Services Contract by \$58,500.00 (from \$1,218,232.55 to \$1,276,732.55). Funding sources for this project are: 2012 Stormwater Bond (\$6,400,000), Municipal Accommodation Funds (\$2,228,775.80), Waterfront TIF (\$1,106,000), Hospitality Funds (\$3,177,225). *(Pending recommendation by the Public Works and Utilities Committee)*
- (Stormwater Management: Approval of Ehrhardt Street Tunnel Design Project Fee Amendment #1 with Davis & Floyd in the amount of \$574,510 for professional engineering services to develop preliminary 30% design to final design. Approval of Fee Amendment #1 will increase the professional services contract by \$574,510 (from \$286,922 to \$861,432). Funding for this project is the Drainage Fund. *(Pending recommendation by the Public Works and Utilities Committee)*
- (Stormwater Management: Approval of Spring-Fishburne Phase 3-Mitigation Professional Services Contract with Johnson, Mirmiran, and Thompson, Inc., in the amount of \$88,237 for the post-construction monitoring for the Guerin Creek Mitigation construction required by the U.S. Army Corps of Engineers. Approval of the Professional Services Contract will obligate \$88,237 of the \$49,059,532 budget. Funding sources for this project are: State Infrastructure Bank (49,000,000) and

Capital Contribution (\$59,532). *(Pending recommendation by the Public Works and Utilities Committee)*

- (Parks – Capital Projects: Approval of the 2020 Parks and Recreation Development (PARD) Grant Application to furnish new playground structure, swing set, and safety surfacing for the Vivian Anderson Moultrie Playground. Requesting funding of \$32,430.60 with a 20% City Match of \$8,107.65. City match \$8,107.65 from 523000-52435 Maintenance, Playground Equipment.
- (Parks – Capital Projects: Approval of West Ashley Greenway Improvements-Stinson Drive to Parkdale Drive LPA Supplemental Agreement No.1 in the amount of \$12,371.36 for the termination of the SCDOT Local Public Agency Contract LPA-07-15 entered into agreement on March 13, 2015. Cancellation of the agreement includes reimbursement of SCDOT for costs associated with staff reviews and will cause the obligated Federal funds to be returned to the CHATs Committee of BCDCOG. Approval of this Supplemental Agreement will obligate \$12,371.36 of the project budget. By accepting this Supplemental Agreement, the City will forfeit the Grant and match amount of \$235,000 will be eligible for another project. This funding will be replaced by 2018 General Fund Reserves. The funding sources for this project are: 2013 General Fund Reserves (\$214,016.57) and 2016 General Fund Reserves (\$100,000), 2018 General Fund Reserves (\$235,000).
- (Parks – Capital Projects: Approval of Cannon Street Fire Station #6 Retrofit Construction Contract with IPW Construction Group, LLC, in the amount of \$4,825,229 to structurally retrofit the unreinforced masonry of the historical Fire Station #6 which will bring the facility into compliance with modern codes. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved Budget. Approval of this will institute a project budget of \$5,554,229 of which the \$4,825,229 construction contract will be funded. Funding sources for this project are: 2015 FEMA Hazard Mitigation Grant (\$281,512), 2015 IPRB Bond (\$1,126,057.25), 2019 FEMA Hazard Mitigation Grant (\$3,096,659.75), 2015 General Fund Reserves (\$269,000), and 2018 General Fund Reserve (\$781,000).
- (Parks – Capital Projects: Approval of City Market Shed Gas Overhead Heaters Construction Contract with IPW Construction Group, LLC, in the amount of \$96,460 to install 32 overhead heaters at Market Shed C as part of the first phase of heater installation. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved Budget. Approval of this will institute a \$711,514.46 project budget of which the \$96,460 construction will be funded. Funding sources for this project are: City Market Capital Fund Balance (\$295,514.46) and Hospitality Funds (\$416,000).
- (Housing and Community Development: Mayor and City Council approval is requested to execute a contract in the amount of \$50,000 with Charleston Habitat for Humanity. The contract would allow for the provision of services related to minor repair and renovation for low and moderate income residents living in the City of Charleston. Funds to support this contract will be derived from prior year Community Development Block Grant (CDBG) Funds.
- (Police Department: Approve an independent contractor agreement in the amount of \$50,000 with Kylon Middleton Ministries, LLC to perform consulting services in connection with the 2020 Illumination Project and continuation of listening sessions.

(Police Department: Approve the Kennedy Center Alcohol Enforcement Grant Award of \$2,200 for field intelligence training to combat underage drinking and drug use. The grant has already been accepted due to time constraints. No City match is required. This is an after-the-fact approval.

L. Bills up for Third Reading:

1. *An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-117 to increase the Freeboard Requirement from one foot to two feet, effective August 1, 2019 (AS AMENDED)(DEFERRED)*

M. 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 amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that previously Unzoned Rail Right-of-Way located at 1320 King Street Extension (Peninsula) (approximately 1.50 acres) (TMS #464-14-00-191) (Council District 4), be zoned Upper Peninsula District (UP) classification. The property is owned by the BCDCOG. (DEFERRED FOR PUBLIC HEARING)*
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 a portion of 1320 King Street Extension (Peninsula) (approximately 0.94 acre) (a portion of TMS# 464-14-00-191) (Council District 4), be rezoned from 8 and 2.5 Old City Height District classifications to 4-12 Old City Height District classification. The property is owned by the BCDCOG. (DEFERRED FOR PUBLIC HEARING)*
3. *An ordinance to amend Chapter 21, Article II of the Code of the City of Charleston by adding a new Section 21-17 that prohibits certain building construction operations during stated hours. (AS AMENDED) (DEFERRED)*
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 to correct a scrivener's error. (DEFERRED FOR PUBLIC HEARING)*
5. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to add to Sec. 54-299.4.b of the Zoning Ordinance a requirement for the installation of a twelve foot (12') wide multi-use path along the frontage of parcels within the Folly Road, FR, Overlay Zone; to authorize the Zoning Administrator to reduce the minimum required buffer plantings adjacent to a right-of-way and/or reduce the minimum required width of the multi-use path in certain circumstances, with appeal to the Board of Zoning Appeals-Site Design; and to amend Sec. 54-120 of the Zoning Ordinance to add definitions for the terms "bikeway" and "multi-use path." (AS AMENDED) (DEFERRED)*
6. *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)*

7. *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. (DEFERRED)*
8. *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)*
9. *An ordinance to provide for the annexation of property known as 3894 Savannah Highway, and 711 & 715 Hughes Road (28.85 acres) (TMS# 287-00-00-139; and 287-00-00-140, 142, 178), 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 5. The property is owned by Colson Jean R Saltwater Breeze LLC. (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)*

N. 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 previously unzoned right-of-way located at the north end of Bender Street (West Ashley) (approximately 0.13 acre) (Council District 3), be zoned Single-Family Residential (SR-2) classification. The property is owned by the City of Charleston.
2. 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.

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 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)*
4. 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 Grimbball, and Gary S. Worth. *(DEFERRED)*
5. 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)*
6. 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)*
7. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 217 Ashley Avenue (Peninsula) (0.33 acre) (TMS #460-11-04-080) (Council District 6), be rezoned from Diverse Residential (DR-2F) classification to Limited Business (LB) classification. The property is owned by Trust of Robert J. Lowe, Jr. & Trust of Gwendolyn M. Lowe. *(TO BE WITHDRAWN)*

O. Miscellaneous Business:

1. Executive session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice on pending Gaillard litigation. Action may or may not be taken.
2. The next regular meeting of City Council will be Tuesday, February 11, 2020 at 5:00 p.m. at City Hall, 80 Broad Street.

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, January 28, 2020 beginning at 5:00 p.m. at City Hall, 80 Broad Street, on the request that the Zoning Ordinance of the City of Charleston be changed in the following respects:

REZONINGS

1. To rezone 7 Calhoun Street (Peninsula) (1.798 acre) (TMS# 458-01-02-064 & 067) from Mixed-Use (MU-2) classification to Planned Unit Development (PUD) (Gadsdenboro Park) classification and to rezone from Height District 56/30V classification to Height District 6 classification.
2. To rezone 32 Line Street (East Side – Peninsula) (0.07 acre) (TMS # 459-05-03-025) from Diverse-Residential (DR-2F) classification to Residential Office (RO) classification.
3. To rezone 101 Paula Drive (101 Sycamore Ave) (Magnolia– West Ashley) (0.26 acre) (TMS # 418-09-00-075) from Single-family Residential (SR-2) classification to Residential Office (RO) classification.

ZONINGS

To zone the following properties annexed into the City of Charleston:

1. 1565 Hutton Place (West Ashley Plantation – West Ashley) (0.49 acre) (TMS # 353-11-00-003) Single-Family Residential (SR-1).
2. 758 Arcadian Way (Avondale – West Ashley) (0.33 acre) (TMS # 418-15-00-063) Single-Family Residential (SR-1).
3. 1440 Dorset Lane (Huntington Woods – West Ashley) (0.3 acre) (TMS # 352-09-00-081) Single-Family Residential (SR-1).
4. 1249 Wisteria Road (Pinecrest Gardens – West Ashley) (0.19 acre) (TMS #351-12-00-111) Single-Family Residential (SR-2).
5. 1701 Woodcrest Avenue (Memminger Hall – West Ashley) (0.25 acre) (TMS #351-11-00-021) Single-Family Residential (SR-1).
6. 1623 Woodcrest Avenue (Memminger Hall – West Ashley) (0.24 acre) (TMS #351-11-00-027) Single-Family Residential (SR-1).
7. 403 Fleming Road (James Island) (0.96 acre) (TMS # 343-07-00-067) Light Industrial (LI).

ORDINANCE AMENDMENT

1. To amend Article 3, Part 2, Sec. 54-306 through 54-306.V. Old City Height Districts, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance), for corrections and clarifications.

VANESSA TURNER MAYBANK
Clerk of Council

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CITY OF CHARLESTON PLANNING COMMISSION

MEETING OF DECEMBER 18, 2019

A meeting of the City of Charleston Planning Commission was held at 5:00 p.m., on Wednesday, December 18, 2019 in the Public Meeting Room, 1st Floor, 2 George St. The following applications were considered:

ORDINANCE AMENDMENTS

1. Request for review and report regarding an ordinance amending Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to eliminate the requirement in section 54-943(c) thereof for a three-fourths vote of all members of the City Council to adopt a proposed amendment, supplement or change to the zoning ordinance or zoning map when the Planning Commission disapproves such amendment, supplement or change or when a protest is presented.

RECOMMEND DISAPPROVAL (4-1)

2. An ordinance to amend Article 3, Part 2, Sec. 54-306 through 54-306.V, Old City Height Districts, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance), for corrections and clarifications.

RECOMMEND APPROVAL WITH MINOR CHANGES (5-0)

REZONING

1. **7 Calhoun Street (Peninsula) TMS # 4580102064 & 067** – 1.798 ac. Request rezoning from Mixed-Use (MU-2) to Planned Unit Development (PUD) (Gadsdenboro Park) and to rezone from Height District 56/30V to Height District 6.

RECOMMEND APPROVAL (5-0)

2. **23 Felix Street (Cannonborough-Elliottborough – Peninsula) TMS # 4601201011** – 0.04 ac. Request rezoning from Diverse-Residential (DR-2F) to Commercial Transitional (CT).

DEFERRED

3. **32 Line Street (East Side – Peninsula) TMS # 4590503025** – 0.07 ac. Request rezoning from Diverse-Residential (DR-2F) to Residential Office (RO).

RECOMMEND APPROVAL (5-0)

4. **101 Paula Drive (101 Sycamore Ave) (Magnolia – West Ashley) TMS # 4180900075** – 0.26 ac. Request rezoning from Single-family Residential (SR-2) to Residential Office (RO).

RECOMMEND APPROVAL (4-1)

5. **276 Coming Street (Cannonborough-Elliottborough – Peninsula) TMS # 4600404003** – 0.07 ac. Request rezoning from Diverse-Residential (DR-2F) to Commercial Transitional (CT).

DEFERRED

SUBDIVISIONS

1. **Maybank Highway (Kerr Tract Residential – Johns Island) TMS # 3450000090** – 32.83 ac. 113 lots. Request for subdivision concept plan approval. Zoned Planned Unit Development (PUD) (Kerr Tract).

DEFERRED

ZONINGS

1. **1565 Hutton Place (West Ashley Plantation – West Ashley) TMS # 3531100003** – 0.49 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMEND APPROVAL (5-0)

2. **758 Arcadian Way (Avondale – West Ashley) TMS # 4181500063** – 0.33 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMEND APPROVAL (5-0)

3. **1440 Dorset Lane (Huntington Woods – West Ashley) TMS # 3520900081** – 0.3 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMEND APPROVAL (5-0)

4. **1249 Wisteria Road (Pinecrest Gardens – West Ashley) TMS # 3511200111** – 0.19 ac. Request zoning of Single-Family Residential (SR-2). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMEND APPROVAL (5-0)

5. **1701 Woodcrest Avenue (Memminger Hall – West Ashley) TMS # 3511100021** – 0.25 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMEND APPROVAL (5-0)

6. **1623 Woodcrest Avenue (Memminger Hall – West Ashley) TMS # 3511100027** – 0.24 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMEND APPROVAL (5-0)

7. **403 Fleming Road (James Island) TMS # 3430700067** – 0.96 ac. Request zoning of Light Industrial (LI). Zoned Industrial (I) in Charleston County.

RECOMMEND APPROVAL (5-0)



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 7 CALHOUN STREET (PENINSULA) (APPROXIMATELY 1.798 ACRES) (TMS #458-01-02-064 AND 458-01-02-067) (COUNCIL DISTRICT 1), BE REZONED FROM MIXED USE (MU-2) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (GADSDENBORO PARK PUD) CLASSIFICATION. THE PROPERTY IS OWNED BY RB CHARLESTON LLC.

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 Mixed Use (MU-2) classification to Planned Unit Development (Gadsdenboro Park PUD) classification.

Section 2. The property to be rezoned is described as follows:
7 Calhoun Street (Peninsula) (approximately 1.798 acres) (TMS #458-01-02-064 and 458-01-02-067)

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

7 Calhoun St (Peninsula)

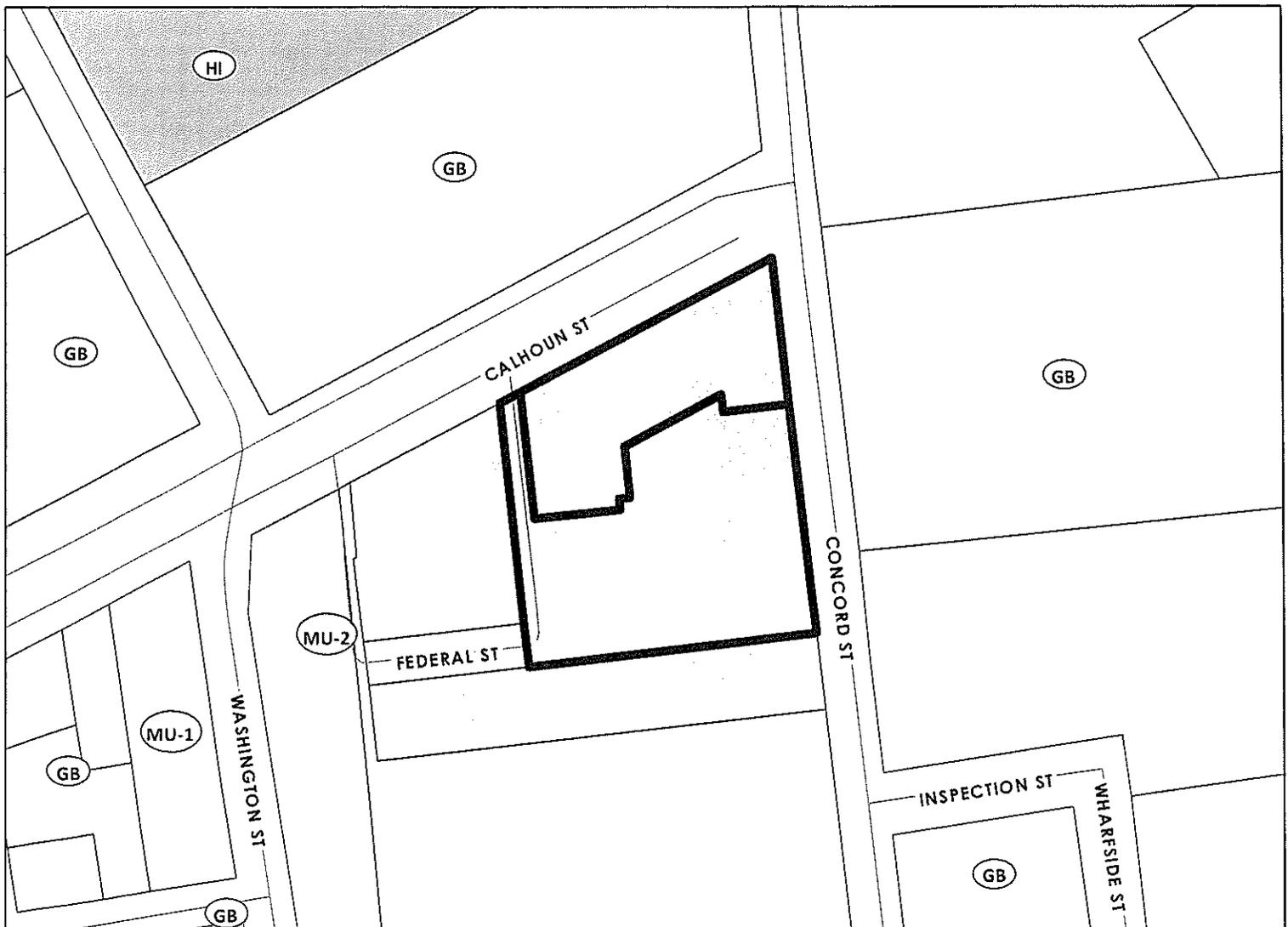
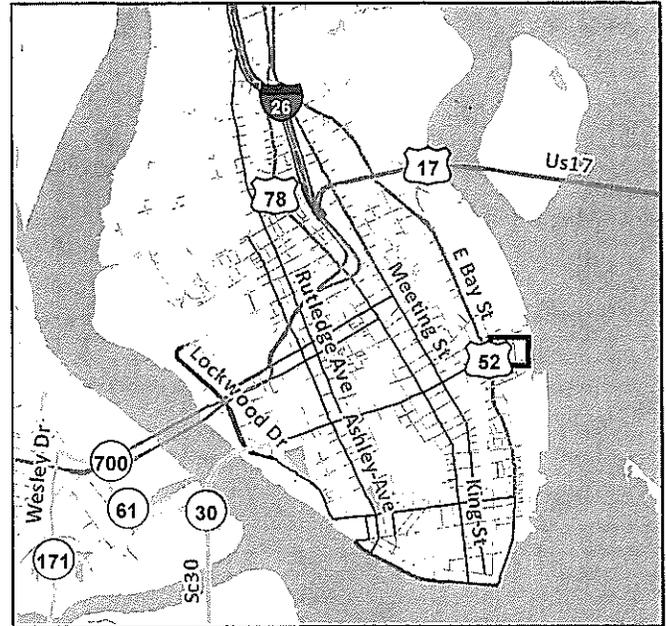
TMS # 4580102064 & 067

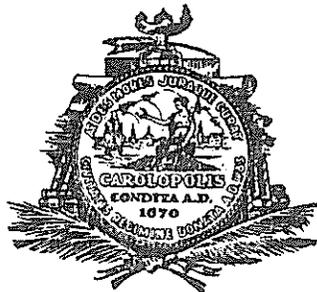
approx. 1.798 ac.

Request rezoning from Mixed-Use (MU-2) to
Planned Unit Development (PUD)
(Gadsdenboro Park PUD).

Owner: RB Charleston LLC

Applicant: Hellman Yates & Tisdale PA





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 7 CALHOUN STREET (PENINSULA) (APPROXIMATELY 1.798 ACRES) (TMS #458-01-02-064 AND 458-01-02-067) (COUNCIL DISTRICT 1), BE REZONED FROM 30/56V OLD CITY HEIGHT DISTRICT CLASSIFICATION TO 6 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTY IS OWNED BY RB CHARLESTON LLC.

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 30/56V Old City Height District classification to 6 Story Old City Height District classification.

Section 2. The property to be rezoned is described as follows:
7 Calhoun Street (Peninsula) (approximately 1.798 acres) (TMS #458-01-02-064 and 458-01-02-067)

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

7 Calhoun St (Peninsula)

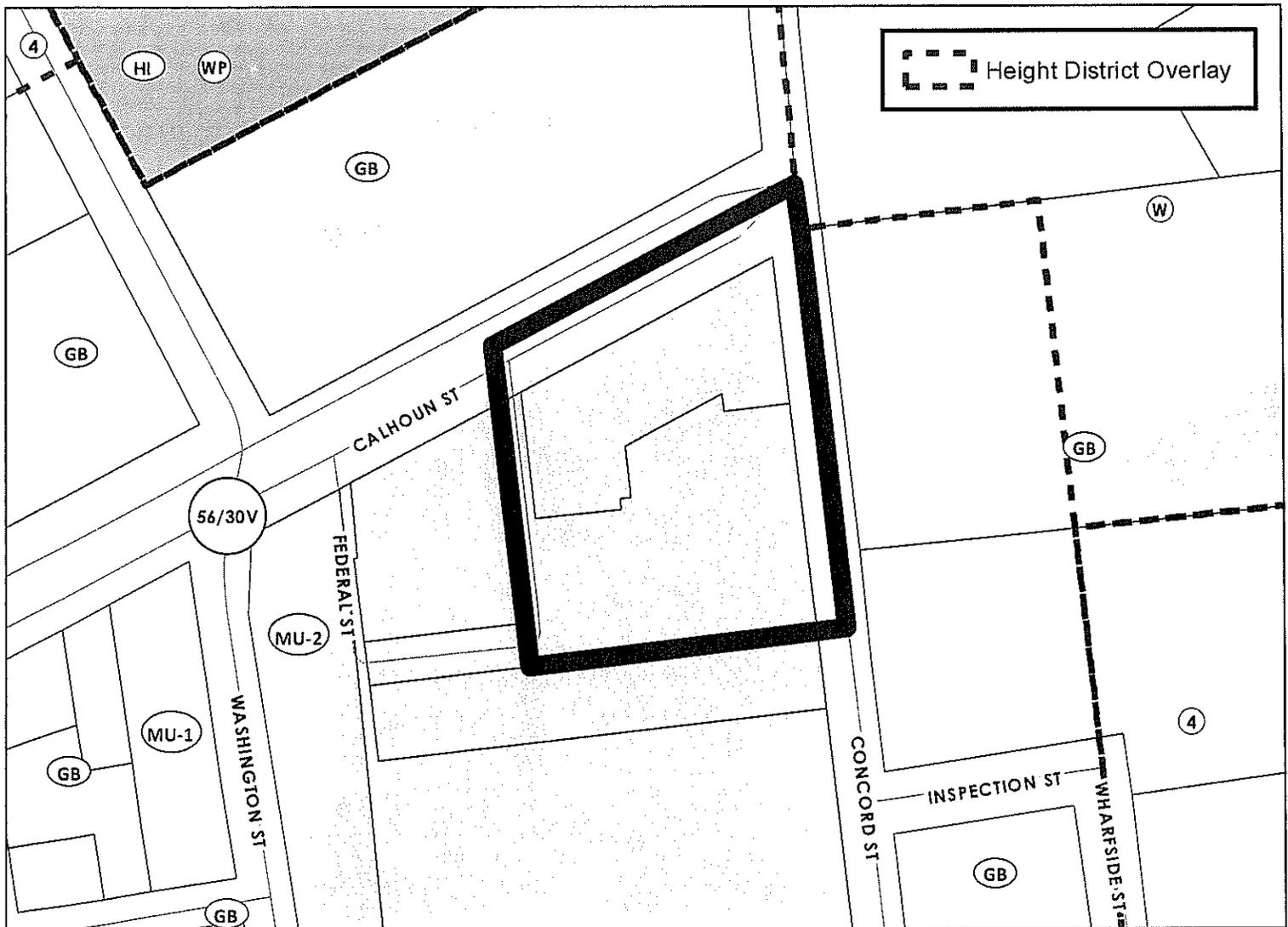
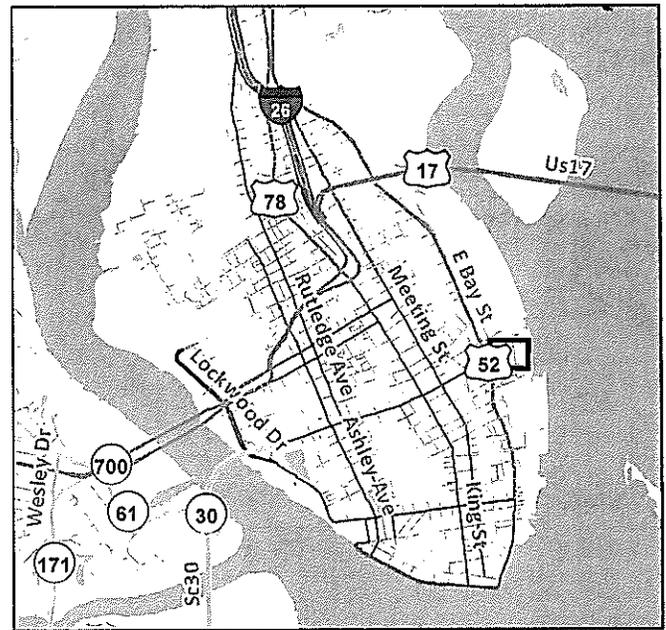
TMS # 4580102064 & 067

approx. 1.798 ac.

Request rezoning from 30/56V Old City Height District
to 6 story Old City Height District

Owner: RB Charleston LLC

Applicant: Hellman Yates & Tisdale PA





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 32 LINE STREET (PENINSULA) (0.07 ACRE) (TMS #459-05-03-025) (COUNCIL DISTRICT 4), BE REZONED FROM DIVERSE RESIDENTIAL (DR-2F) CLASSIFICATION TO RESIDENTIAL OFFICE (RO) CLASSIFICATION. THE PROPERTY IS OWNED BY MICHAEL GEORGE.

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-2F) classification to Residential Office (RO) classification.

Section 2. The property to be rezoned is described as follows:
32 Line Street (Peninsula) (0.07 acre) (TMS #459-05-03-025)

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 3

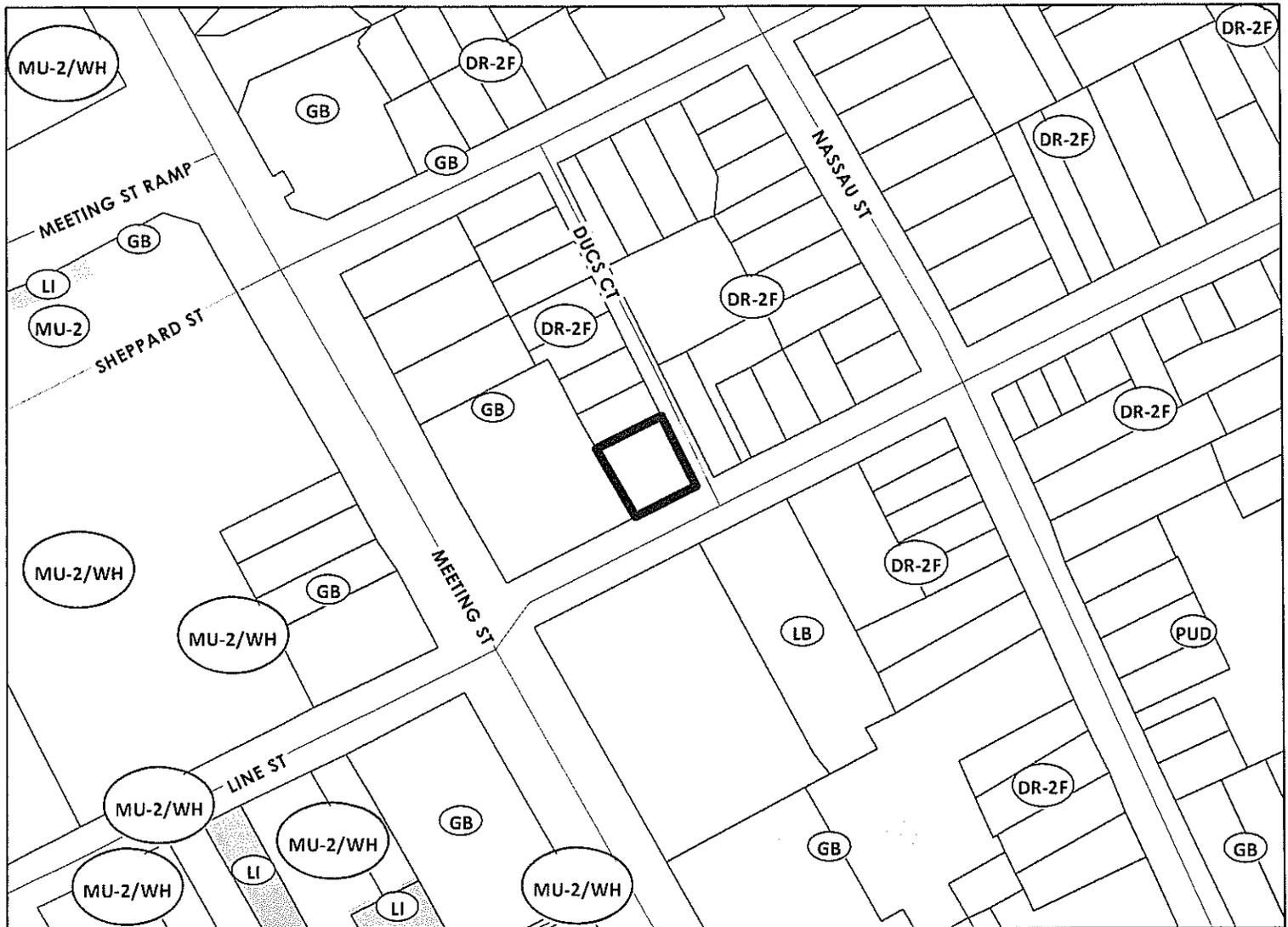
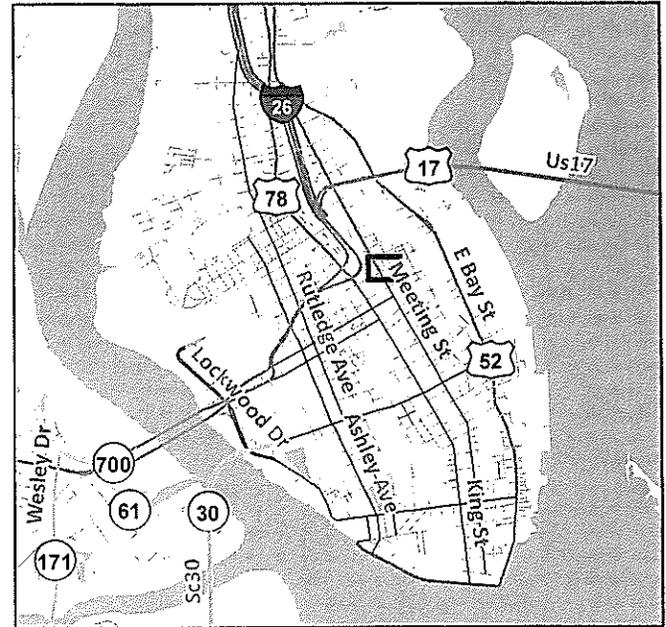
32 Line Street (Peninsula)

TMS # 4590503025

approx. 0.07 ac.

Request rezoning from Diverse-Residential (DR-2F) to Residential Office (RO).

Owner: Michael George
Applicant: Tom Hodges





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 101 SYCAMORE AVENUE (101 PAULA DRIVE) (WEST ASHLEY) (0.26 ACRE) (TMS #418-09-00-075) (COUNCIL DISTRICT 9), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION TO RESIDENTIAL OFFICE (RO) CLASSIFICATION. THE PROPERTY IS OWNED BY DAVID NAUHEIM.

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-2) classification to Residential Office (RO) classification.

Section 2. The property to be rezoned is described as follows:
101 Sycamore Ave (101 Paula Drive) (West Ashley) (0.26 acre) (TMS #418-09-00-075)

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

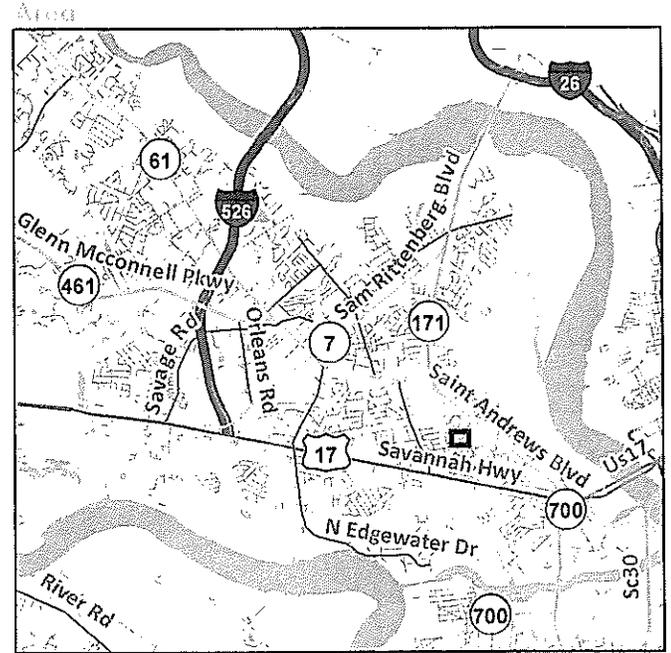
101 Sycamore Ave (101 Paula Dr) (West Ashley)

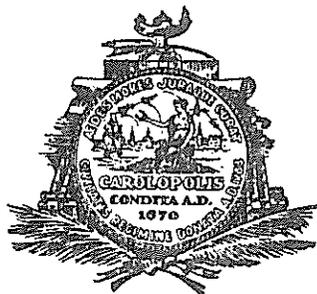
TMS # 4180900075

approx. 0.26 ac.

Request rezoning from Single-family Residential (SR-2)
to Residential Office (RO).

Owner and Applicant: David Nauheim





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 1565 HUTTON PLACE (WEST ASHLEY) (0.49 ACRE) (TMS #353-11-00-003) (COUNCIL DISTRICT 7), ANNEXED INTO THE CITY OF CHARLESTON NOVEMBER 26, 2019 (#2019-122), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY NATASHA CHISOLM AND TANYA CHISOLM.

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 that the below described property shall become a part thereof:

1565 Hutton Place (West Ashley) (0.49 acre) (TMS #353-11-00-003)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

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

Zoning 1

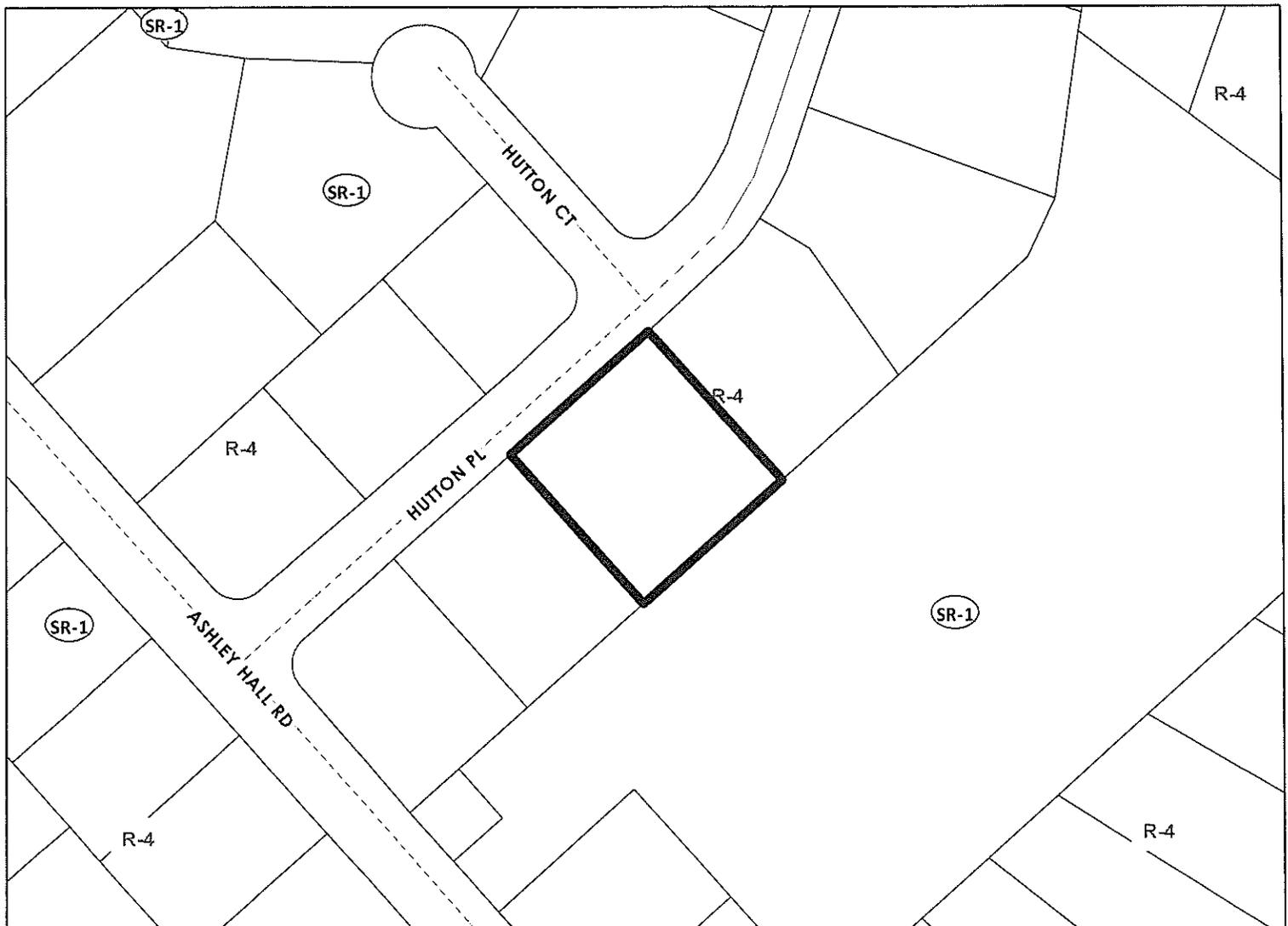
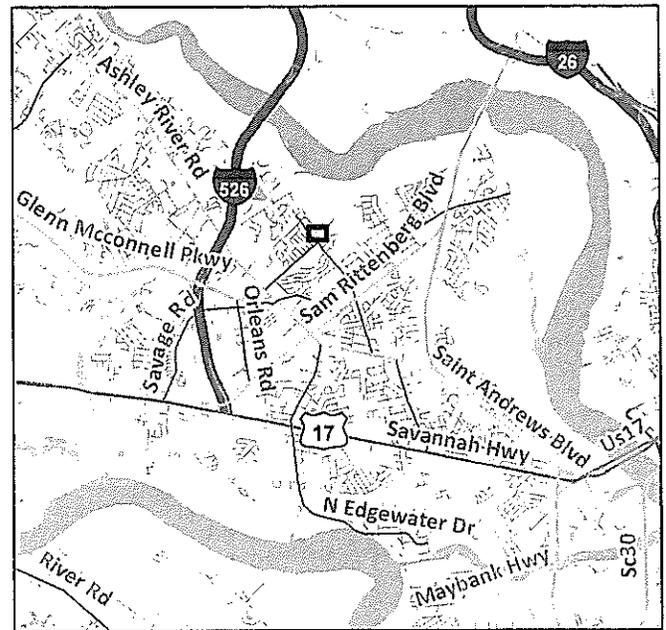
1565 Hutton Pl (West Ashley)

TMS # 3531100003

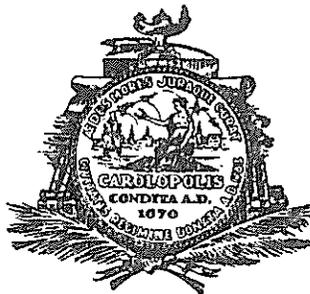
approx. 0.49 ac.

Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4) in
Charleston County.

Owner: Natasha and Tanya Chisolm



EG.)



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 758 ARCADIAN WAY (WEST ASHLEY) (0.33 ACRE) (TMS #418-15-00-063) (COUNCIL DISTRICT 3), ANNEXED INTO THE CITY OF CHARLESTON NOVEMBER 26, 2019 (#2019-121), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY JOHN AND CHANTAL BYRNE.

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 that the below described property shall become a part thereof:

758 Arcadian Way (West Ashley) (0.33 acre) (TMS #418-15-00-063)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

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

Zoning 2

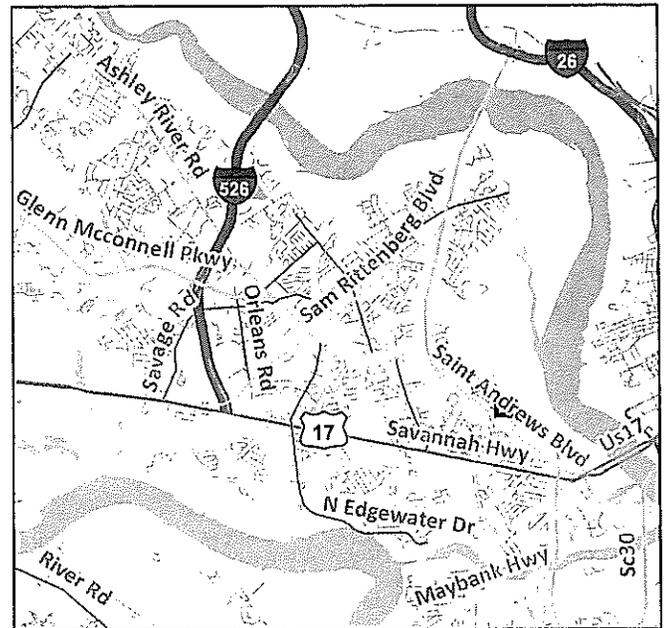
758 Arcadian Way (West Ashley)

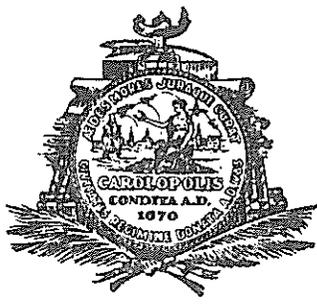
TMS # 4181500063

approx. 0.33 ac.

Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4) in
Charleston County.

Owner: John and Chantal Byrne





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 1440 DORSET LANE (WEST ASHLEY) (0.3 ACRE) (TMS #352-09-00-081) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 3, 2019 (#2019-130), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY SHELIA D. PACE.

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 that the below described property shall become a part thereof:

1440 Dorset Lane (West Ashley) (0.3 acre) (TMS #352-09-00-081)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

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

Zoning 3

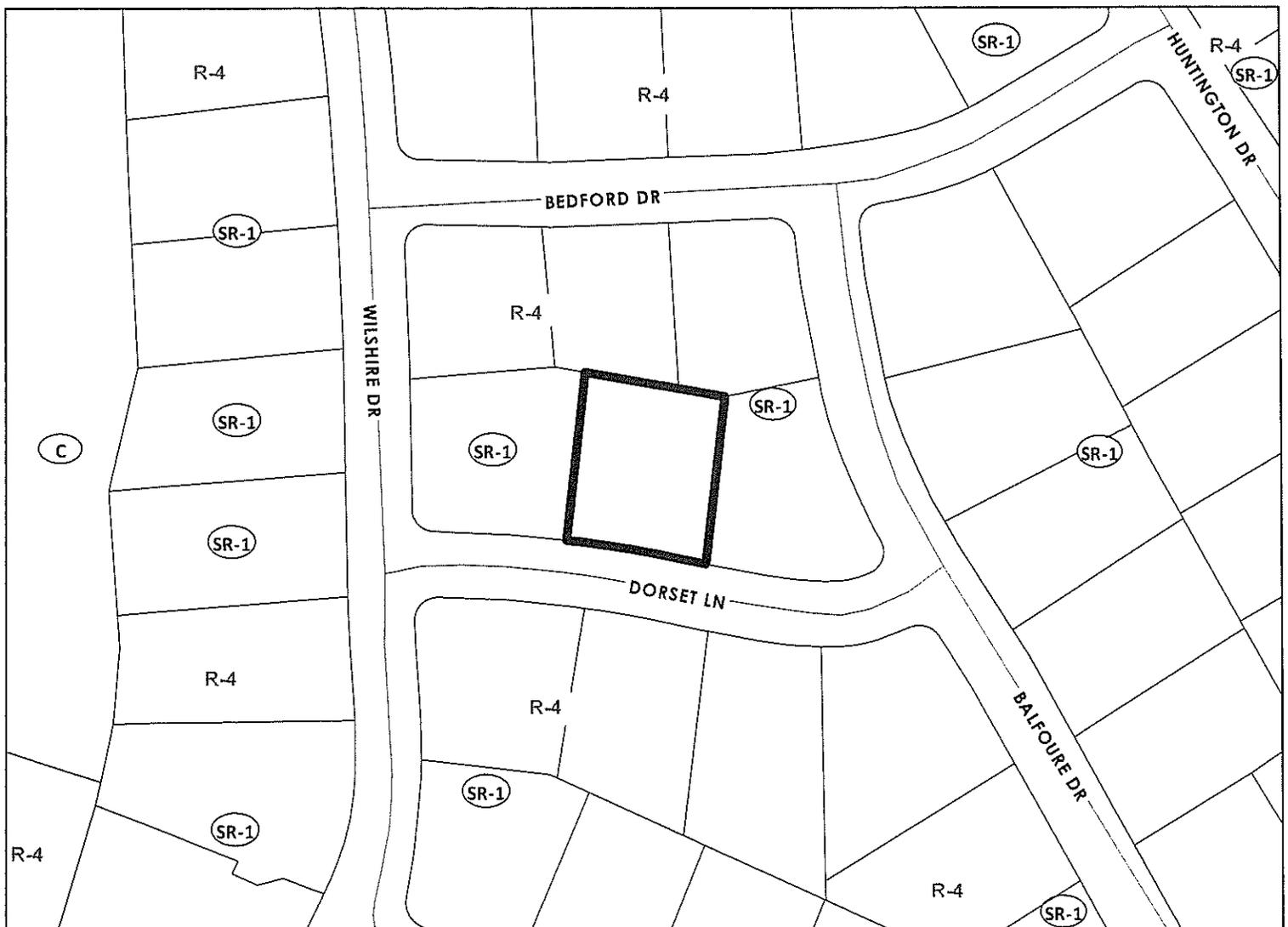
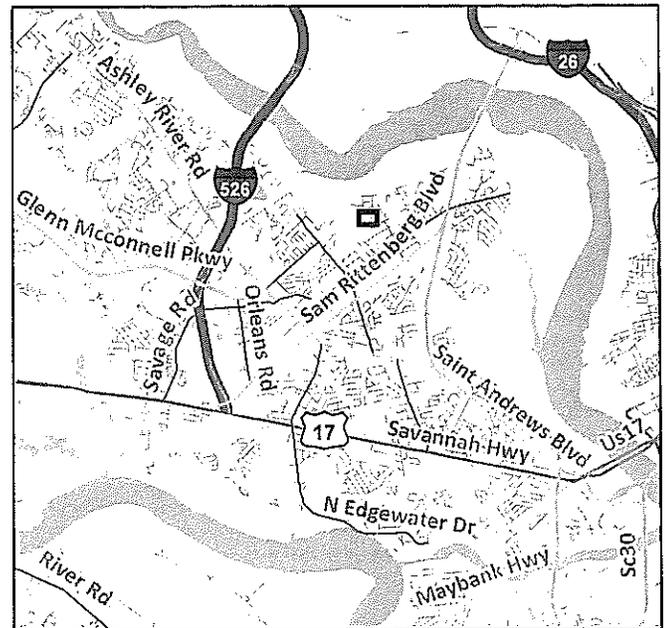
1440 Dorset Ln (West Ashley)

TMS # 3520900081

approx. 0.3 ac.

**Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4) in
Charleston County.**

Owner: Shelia D. Pace





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 1249 WISTERIA ROAD (WEST ASHLEY) (0.19 ACRE) (TMS #351-12-00-111) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 17, 2019 (#2019-139), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION. THE PROPERTY IS OWNED BY RACHEL CARSON HOLLING.

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 that the below described property shall become a part thereof:

1249 Wisteria Road (West Ashley) (0.19 acre) (TMS #351-12-00-111)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-2) classification.

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

Zoning 4

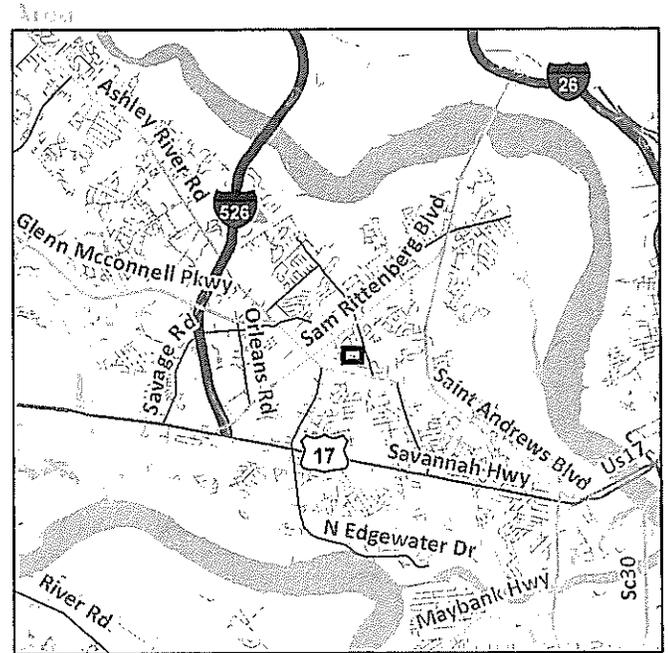
1249 Wisteria Rd (West Ashley)

TMS # 3511200111

approx. 0.19 ac.

Request zoning of Single-Family Residential (SR-2).
Zoned Single-Family Residential (R-4) in
Charleston County.

Owner: Rachel Carson Holling





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 1701 WOODCREST AVENUE (WEST ASHLEY) (0.25 ACRE) (TMS #351-11-00-021) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 17, 2019 (#2019-140), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY GREGORY R. THOMAS.

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 that the below described property shall become a part thereof:

1701 Woodcrest Avenue (West Ashley) (0.25 acre) (TMS #351-11-00-021)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

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

Zoning 5

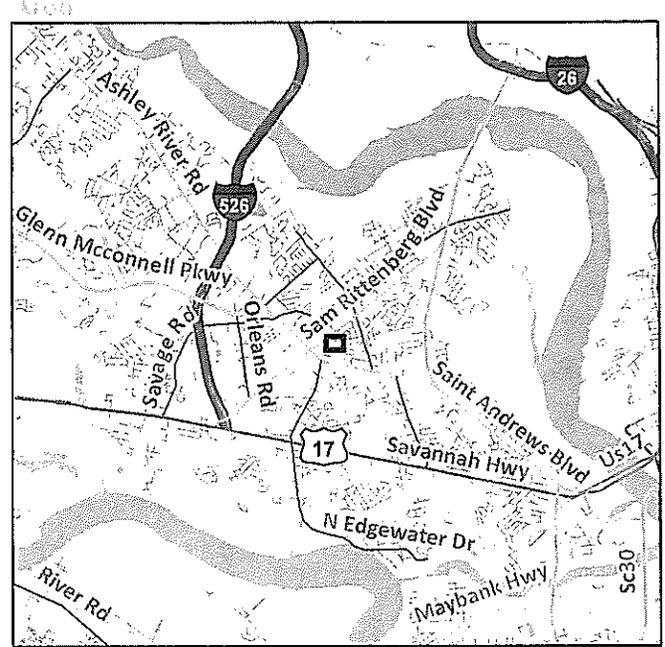
1701 Woodcrest Ave (West Ashley)

TMS # 3511100021

approx. 0.25 ac.

**Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4) in
Charleston County.**

Owner: Gregory R. Thomas





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 1623 WOODCREST AVENUE (WEST ASHLEY) (0.24 ACRE) (TMS #351-11-00-027) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 17, 2019 (#2019-138), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY KRISTEN AND ERIC CHAPPELL.

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 that the below described property shall become a part thereof:

1623 Woodcrest Avenue (West Ashley) (0.24 acre) (TMS #351-11-00-027)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

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

Zoning 6

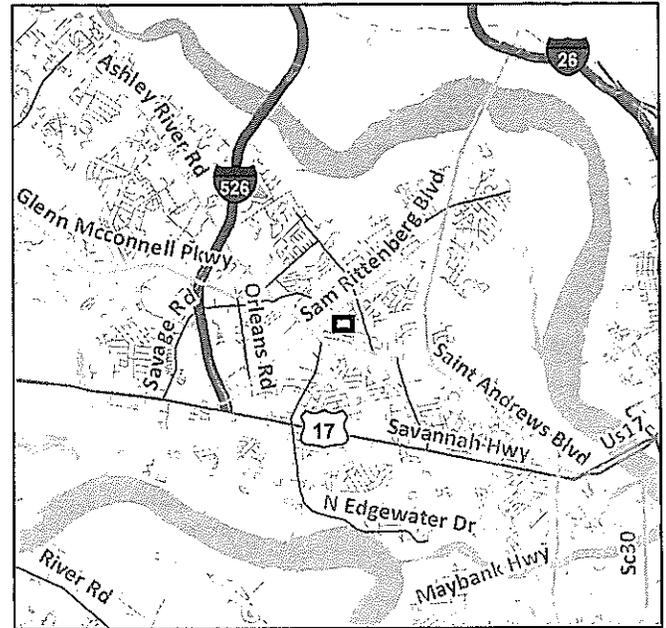
1623 Woodcrest Ave (West Ashley)

TMS # 3511100027

approx. 0.24 ac.

Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4) in
Charleston County.

Owner: Kristen and Eric Chappell





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 403 FLEMING ROAD (JAMES ISLAND) (0.96 ACRE) (TMS #343-07-00-067) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 3, 2019 (#2019-129) BE ZONED LIGHT INDUSTRIAL (LI) CLASSIFICATION. THE PROPERTY IS OWNED BY 403 FLEMING, LLC.

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 that the below described property shall become a part thereof:

403 Fleming Road (James Island) (0.96 acre) (TMS #343-07-00-067)

Section 2. That the said parcel of land described above shall be zoned Light Industrial (LI) classification.

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:

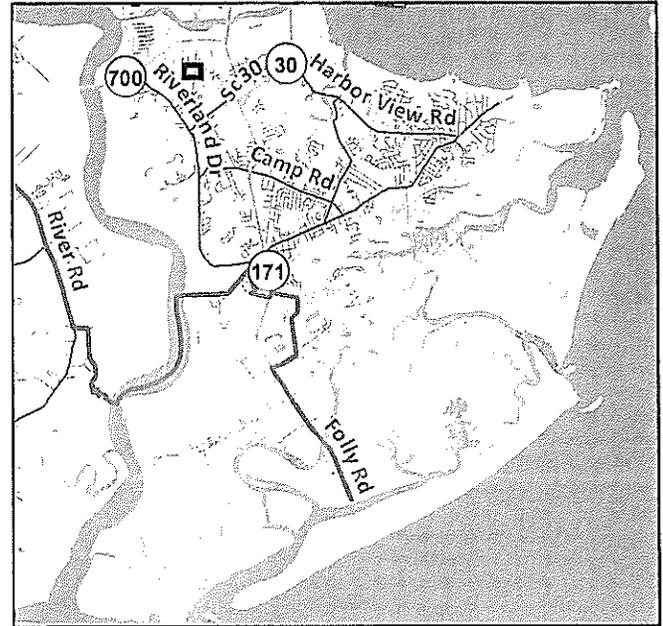
Vanessa Turner Maybank
Clerk of Council

Zoning

403 Fleming Rd (James Island)
TMS # 3430700067

0.96 ac.

Request zoning of Light Industrial (LI).
Zoned Industrial (I) in Charleston County.





Ratification
Number _____

A N O R D I N A N C E

TO AMEND ARTICLE 3, PART 2, SEC. 54-306 THROUGH 54-306.V, OLD CITY HEIGHT DISTRICTS, OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE), FOR CORRECTIONS AND CLARIFICATIONS. (AS AMENDED)

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

Section 1. Article 3, Part 2, Sec. 54-306 through 54-306.V., Old City Height Districts, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended for corrections and clarifications by deleting text shown below with ~~strikethrough~~ and adding text shown below with double underline:

“Sec. 54-306. - Old City Height Districts.

The requirements of this section have resulted from a contextual study of building height and architectural patterns in the Old City Height District. The requirements of this section reflect the predominant building height trends of the areas to which they are applied, and reinforce the principles cited in the Downtown Plan, adopted in 1999, that higher structures be located along spine streets of the Peninsula, with heights of structures tapering down towards the waters' edges. The requirements of this Section are intended to clarify acceptable heights of buildings in areas of the Old City Height District, subject to the right of the Board of Architectural Review to adjust heights in limited circumstances when based on architectural merit and context.

General requirements:

1. Heights shall be measured in stories or feet, as specified. Notwithstanding the foregoing, height shall be measured in feet in the following districts: 3X, 85/200, 85/125, 85/30, 100/30, 80/30, 55/30S, 55/30, 56/30V, 120/30, 50W, W and WP.
2. For maximum height specified in feet, the measurement shall be taken from the highest curb elevation adjacent to the site to the highest point of the structure. ~~For maximum height specified in stories, the measurement shall be taken from the main floor finished elevation.~~ Where heights are specified in stories, the measurement shall be taken from finished floor to finished floor.
3. ~~Where heights are specified in stories or feet, the measurement shall be from finished floor to finished floor.~~

- 4-3. If a building is required to be raised per FEMA requirements, that same height shall be added to the maximum height allowed, up to a maximum of six (6) feet. This measurement shall be taken from the highest curb elevation.
4. Existing structures shall be allowed to be elevated to meet FEMA and City freeboard requirements and exceed height limitations of this Chapter.
5. Any area under a structure in excess of six feet shall be counted as a story.
6. The BAR is empowered to require a downward adjustment of one-half story in the number of stories ~~based on~~ from the permitted number of stories in the applicable height district based on the predominate number of stories of structures that predominate in the structure's immediate surroundings, as defined in Section 54-231.
7. Floors shall be measured in the following manner:

Residential:

- i-a. The maximum height of any residential floor shall be 12 feet, ~~unless otherwise specified. The BAR may grant a waiver up to 14 feet on the first or second floor, based on architectural merit and context.~~ Any dimension above this shall constitute ~~a second floor~~ two stories. ~~The BAR may grant a waiver up to 14 feet on the first or second floor, based on architectural merit and context.~~
- ii-b. The minimum height of any residential floor shall not be less than 10 feet; however, there is no minimum height for floors in a single one family dwelling residence, duplex two family dwelling or one family attached dwelling or townhouse.
- c. The BAR is empowered to require adjustments to floor heights, based on context of the structure with its immediate surroundings, as defined in Section 54-231.

Non-Residential:

- iii-d. The maximum height of any nonresidential story shall be 20 feet, ~~unless otherwise specified. The BAR may grant a waiver up to 25 feet on the main floor based on architectural merit and context.~~ Any dimension above this height shall constitute ~~a second floor~~ two stories. ~~The BAR may grant a waiver up to 25 feet on the main floor based on architectural merit and context.~~
- iv e. The minimum height of any nonresidential floor shall not be less than ~~14~~ 12 feet, unless otherwise specified in Sec. 54.306.X.
- v f. The BAR is empowered to require ~~downward~~ adjustments to floor heights, based on context of the structure with its immediate surroundings, as defined in Section 54-231 H.
8. ~~Half stories shall be permitted as specified by zone. Half stories shall constitute a maximum 50% habitable use of the attic space or 50 percent of the buildable area, whichever is less.~~

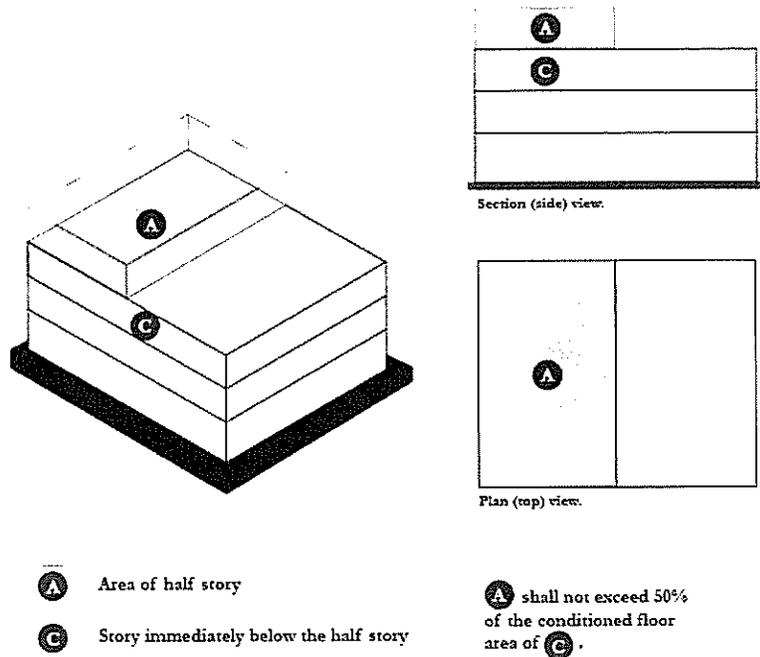
For purposes of this section, in nonresidential structures, a half story means an area no larger than 50 percent of the footprint of the structure, regardless of whether that area is under a roof or not. For purposes of this section, in single family residences, duplexes or townhomes, a half story means finished attic space under a sloping roof. Half stories, as the top story of a building, shall be permitted as specified by height district, subject to the following restrictions.

For the purposes of this section, half stories on one-family dwellings, two-family dwellings, one-family attached dwellings, and accessory buildings to these building types within the Old City Height Districts shall be limited the space under a gable or hipped roof where the wall plates, or knee walls, on at least two opposite exterior walls shall not exceed two feet in height. The aggregate width of dormers on a half story shall not exceed 30% of the width of the exterior wall below the dormer(s).

Notwithstanding the definition for half story in Sec. 54-120, for purposes of this section, half stories on all other types of buildings may be either:

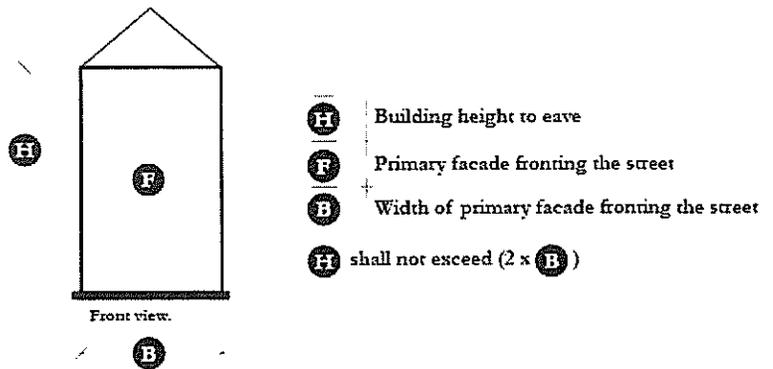
- a. A full story with a total floor area, including any covered exterior floor area under a roof, that does not exceed 50% of the conditioned floor area of the story immediately below the half story as illustrated in Figure 1 below, or
- b. A half story under a gable or hipped roof that complies with the restrictions for a half story on a one or two family dwelling described in the previous paragraph

Figure 1



9. Building height to roof eave shall not exceed twice the building width of the primary façade of habitable space fronting the street as illustrated in Figure 2 below; provided the Board of Architectural Review may waive this provision based on architectural merit and context.

Figure 2



10. There shall be no minimum building height requirement, unless required by the applicable height district as specified in Sec. 54-306.X.
11. ~~Appurtenances to a building shall not be permitted to exceed the maximum height, unless otherwise specified.~~

- ~~12~~11. If any portion of a structure subject to the jurisdiction of the BAR is within fifty (50) feet of an existing structure rated "exceptional" (Group 1) or "excellent" (Group 2) on the Historic Architecture Inventory, adopted by Section 54-235, or a structure in the Landmark Overlay district, such portion of that structure shall not exceed the height of such existing structures unless approved by the Board of Architectural Review based on architectural merit and context.
- ~~13.~~ Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same.
- ~~14~~12. Additional buildings that are not accessory buildings, and additions to buildings, and accessory buildings that include dwelling units that are subject to the jurisdiction of the BAR shall be subordinate in height, scale and mass to the primary existing building; provided this provision may be waived by the Board of Architectural Review when it deems such appropriate based on architectural merit and context or existing lot conditions. This provision does not apply to vertical additions to existing buildings. When appropriate, vertical additions must strive to be minimally visible with minimal impact on the character of the historic building and its context.
- ~~15~~13. Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be constrained by floor to floor height requirements, but stand-alone parking garages shall appear from the street to conform to the number of stories permitted in the height district in which it is located.
- ~~16~~14. In the height districts where additional height may be awarded on the basis of architectural merit and context, if the property is not subject to the jurisdiction of the Board of Architectural Review, the owner requesting the additional height must submit the plans to the Board of Architectural Review for review and approval. The property will not remain subject to the Board of Architectural Review purview after the request for additional height is reviewed. Any further request for additional height will trigger review by the Board of Architectural Review.
- ~~17~~15. An applicant seeking a height rezoning shall only be able to request a rezoning to the next higher height district, except for applicants seeking a rezoning to the Upper Peninsula Zoning district.
- ~~18.~~ An applicant requesting additional height as may be authorized per the applicable height district shall adhere to submittal requirements as adopted by the Board of Architectural Review.
- ~~19~~16. Standalone Communication towers shall not exceed the maximum building height limits of districts that include a maximum height limit in feet, or a height limit equal to ~~10~~ 14 feet per story for districts that ~~do not specify a maximum height in feet~~ are specified in stories.
- ~~20~~17. "Architectural merit" means a project that reflects exemplary architectural and urban design, utilizes the highest level of materials and finishes and contributes to the public realm, as outlined in the Board of Architectural Review Principles.

18. Additional height for ornamental appurtenances and utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC and communication equipment) that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.
19. Appurtenances shall not exceed nine (9) feet and shall be placed to the rear of side of a building where possible in order to minimize visibility from the public right of way.
20. Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same. Density of screening should be adequate to sufficiently screen mechanical equipment.

Sec. 54-306.A. - Height District 2.5.

In this district:

1. Maximum building height shall be 2.5 stories as specified in 54-306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional half story on buildings subject to its jurisdiction based on architectural merit and context.
3. Within residential zone districts that are not subject to design review approval by the Board of Architectural Review, accessory buildings, as defined by the Zoning Ordinance, shall not exceed one and one-half stories and an eave height of eleven feet, except where applicable regulations of the Zoning Ordinance allow an additional dwelling unit in an accessory building.

Sec. 54-306.B. - Height District 3.

In this district:

1. Maximum building height shall be 3 stories as specified in 54.306.X.
2. The attic shall not be habitable.
3. The nonresidential ground floor shall not exceed 14 feet as specified in 54.306.X.
4. The Board of Architectural Review may waive the limitation on habitable attic space based on architectural merit and context.
5. Within residential zone districts, accessory buildings, as defined by the zoning ordinance, that are not subject to design review approval by the Board of Architectural Review, shall not exceed one and one-half stories and an eave height of eleven feet, except where applicable regulations of the Zoning Ordinance allow an additional dwelling unit in an accessory building.

Sec. 54-306.C. - Height District 2.5 - 3.5.

In this district:

1. On rights-of way greater than 50 feet, the building height shall be limited to a maximum 3 stories as specified in 54.306.X and a maximum height of 45 feet.
2. On rights-of-way between 35 feet and 50 feet, the building height shall be limited to a maximum of 3 stories as specified in 54.306.X, and shall also be limited by the ROW right-

~~of-way width of the street at a maximum 1:1 ratio. In no event, shall maximum building height exceed 45 feet. (i.e.: if a ROW is 40ft, the building shall not be taller than 40ft). Right-Of-Way measurements will be determined by the Zoning Administrator.~~

3. On rights-of-way less than 35ft the building height shall be limited to a maximum 2.5 stories as specified in 54.306.X.

~~For multi-family buildings subject to its jurisdiction and in PUDs, the Board of Architectural Review may permit up to 4 stories and up to a maximum 45 feet, based on architectural merit and context.~~

~~Any new structure that requires the main floor to be elevated more than 2 feet above the average sidewalk height as per FEMA requirements shall be allowed the equivalent in height up to a maximum of 50 feet overall.~~

4. The nonresidential main floor shall not be less than 12 feet in height and no more than ~~16~~ 14 feet in height, unless a waiver is granted for additional height of the floor per the requirements of Sec. 54-306 (7) hereof.

5. Within residential zone districts, accessory buildings, as defined by the zoning ordinance, that are not subject to design review approval by the Board of Architectural Review, shall not exceed one and one-half stories and an eave height of eleven feet, except where applicable regulations of the Zoning Ordinance allow an additional dwelling unit in an accessory building.

Sec 54-306.D. - Height District 3.5

In this district:

1. Maximum building height shall be 3.5 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional half story, based on architectural merit and context, ~~up to a maximum of 50 feet overall.~~

Sec 54-306.E. - Height District 4

In this district:

1. Maximum building height shall not exceed 4 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional one-half story, based on architectural merit and context, ~~up to a maximum of 50 feet overall.~~

Sec 54-306.F. - Height District 5

In this district:

1. Maximum building height shall not exceed 5 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional story based on architectural merit and context.

~~Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.~~

~~Utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) may exceed the maximum height, based on the following standards:~~

~~Appurtenances shall not exceed nine feet in height.~~

~~Appurtenances shall be placed to the rear or side of the buildings where possible.~~

3. Structures that are 5 stories or more shall be abutted by sidewalks no less than 10 feet in width.

Sec. 54-306.G. - Height District 6

In this district:

1. Maximum building height shall not exceed 6 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional story based on architectural merit and context.

~~Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.~~

~~Utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) may exceed the maximum height, based on the following standards:~~

~~Appurtenances shall not exceed nine feet in height.~~

~~Appurtenances shall be placed to the rear or side of the buildings where possible.~~

3. Structures that are more than 6 stories shall be abutted by sidewalks no less than 10 feet in width.

Sec. 54-306.H. - Height District 7

In this district:

1. Maximum building height shall not exceed 7 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional story based on architectural merit and context.
3. Structures that are more than 7 stories shall be abutted by sidewalks no less than 10 feet in width.

Sec 54-306.~~H~~.I - Height District 8

In this district:

1. Maximum building height shall not exceed 8 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional story based on architectural merit and context.

~~Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.~~

~~Utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) may exceed the maximum height, based on the following standards:~~

~~Appurtenances shall not exceed nine feet in height.~~

~~Appurtenances shall be placed to the rear or side of the buildings where possible.~~

3. Structures that are 8 stories or more shall be abutted by sidewalks no less than 10 feet in width.
4. The provisions of Sec. 54-306 (12) do not apply in this height district.

Sec 54-306.~~I~~.J - Height District 4-12

In this district:

1. Maximum building height shall not exceed 4 stories subject to height bonuses acquired through the use of incentive options as defined beginning in Sec. 54-299.21. ~~Additional stories, up to a maximum of 12 stories shall be permitted based on meeting specific performance standards as defined in Sec. 54-201.~~

~~Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.~~

~~Utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) may exceed the maximum height when their visual impact is minimized, based on the following standards:~~

~~Utilitarian appurtenances shall not exceed nine feet in height.~~

~~Utilitarian appurtenances shall be placed to the rear or side of the buildings where possible.~~

2. Structures more than 4 stories shall be abutted by sidewalks no less than 10 feet in width.

Sec. 54-306.~~J~~.K. - Height District 3X

In this district, no structure, including appurtenant parts of a structure, except for elevator penthouses, or mechanical penthouses, shall exceed a height equal to three (3) times the least dimension as measured from the center of the right-of-way to the face of the building. No structure fronting on any street shall be lower than the height of thirty (30) feet.

Sec. 54-306.~~K~~.L. - Height District 85/200

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of two hundred (200) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.
3. All portions of a structure above eighty-five (85) feet including elevator penthouses and mechanical penthouses, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least fifty-five (55) feet from the center of the street right-of-way. All such portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall occupy no more than fifty (50) percent of the building site coverage area.

Sec. 54-306.~~L~~.M. - Height District 85/125

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of one hundred and twenty-five (125) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.
3. All portions of a structure above eighty-five (85) feet including elevator penthouses and mechanical penthouses, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least fifty-five (55) feet from the center of the street right-of-way. All such portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall occupy no more than seventy-five (75) percent of the building site coverage area.

Sec. 54-306.~~M~~.N. - Height District 85/30

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of eighty-five (85) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.

Sec. 54-306.N.O. - Height District 100/30

In this district:

1. The minimum height for a structure fronting on a street is thirty (30) feet, and the minimum height on the ground floor of a structure fifteen (15) feet.
2. The maximum height of a structure along north-south oriented streets is four (4) stories. The height along north-south oriented streets shall be maintained from the edge of the right-of-way into the interior of the lot for a distance of one hundred (100) feet, except as provided in part 5 hereof.
3. The maximum height of a structure along east-west oriented streets is five (5) stories. The height along east-west oriented streets shall be maintained from the edge of the right-of-way into the interior of the lot a distance of twenty-five (25) feet, except as provided in part 5 hereof.
4. Within the interior of lots (one hundred (100) feet from the edge of north-south oriented streets and twenty-five (25) from the edge of east-west oriented streets), the maximum height for a structure is one hundred (100) feet.
5. To enable the incorporation of distinct architectural features and improve pedestrian activity at the street level, the height limits of parts 2 and 3 may be exceed by an additional occupied story within the step-back areas set out in parts 2 and 3 and occupied or unoccupied architectural features along the right-of-way may exceed the height limits of parts 2 and 3 upon findings by the Board of Architectural Review that:
 - a. The sidewalks widths along all streets abutting the project are widened by at least three (3) feet; and
 - b. At least seventy-five (75) percent of the ground floor street frontages is devoted to non-residential use; and
 - c. If applicable, the additional story and its proposed location in the step-back areas prescribed by parts 2 and 3 enhance the architectural approach of the project; and
 - d. If applicable, proposed architectural features along the right-of-way that exceed the height limits of parts 2 and 3 enhance the architectural approach of the project and do not constitute, in the aggregate, more than twenty (20) percent of the square footage of the footprint of the structure at the street level.

Sec. 54-306.O.P. - Height District 80/30

In this district:

1. No structure, including appurtenant parts of a structure except for elevator penthouses, or mechanical penthouses, shall exceed a height of eighty (80) feet nor shall any structure fronting on any street be lower than the height of thirty (30) feet.
2. All portions of a structure above the fifty-five (55) foot level shall be set back at least twenty-five (25) feet from all street right-of-way lines.

Sec. 54-306.~~P.Q.~~ - Height District 50W

In this district:

1. No structure shall exceed a height of fifty feet (50').
2. All structures shall be set back from the high water mark a minimum of twenty-five feet (25'), except that water-dependent structures shall be allowed to encroach on the twenty-five foot (25') setback.
3. All structures shall be set back from the high water mark of manmade canals a minimum of ten feet (10'), except that water-dependent structures shall be allowed to encroach on the ten foot (10') setback.

Sec. 54-306.~~Q.R.~~ - Height District W

In this district:

1. No structure shall be nearer to the nearest right-of-way lines of the street on which it fronts than a distance equal to the height of the building.
2. The ground coverage of all structures on a lot shall not exceed twenty-five (25) percent of the lot area; "ground coverage" being defined as the sum of the areas of the largest floors in each building.
3. No structure shall be nearer to an interior property line or side street right-of-way line than a distance equal to one-half-the height of the building.

Sec. 54-306.~~R.S.~~ - Height District WP

In this district:

1. No structure shall exceed the height of sixty (60) feet.
2. The ground coverage of all structures on a lot shall not exceed twenty-five (25) percent of the lot area; "ground coverage" being defined as the sum of the areas of the largest floor in each building. Ground coverage shall not include paved parking areas or staging areas.

Sec. 54-306.~~S.T.~~ - Height District 56/30 V

In this district:

1. FEMA Velocity Zone regulations impose significant restrictions on the developable volume of properties that fall within its influence, and are particularly restrictive regarding street-level development. The success of the traditional urban fabric of Charleston is highly dependent upon the activation of the public realm, and street-level uses are a key element of this activity. The 56/30V Height District is intended to encourage a continuation of Charleston's urban traditions by providing incentive for development of street-level activity within FEMA Velocity Zones.
2. No part of a structure shall exceed the height of fifty-six (56) feet unless permitted as a result of the following clauses, nor shall any principal structure be lower than thirty (30) feet.
3. Allowances for additional enclosed habitable space above fifty-six (56) feet but not to exceed a height of seventy (70) feet shall be permitted when the development in question provides for contributory occupation of the ground floor at the street frontage(s) of the property. Such contributory occupation must be designed to abide by FEMA requirements for development in Velocity Zones as approved by the city's Floodplain Administrator. For every square foot of approved contributory occupation of the ground floor, the development will be permitted an equivalent square foot of habitable space above fifty-six (56) feet, up to a limit of 25 percent of the total rooftop area. Contributory occupation is defined as any activity that is deemed by the Zoning Administrator to be consistent with and supportive of the goal of street-level activation within the FEMA V-Zone. Such activity might include, but is not limited to: outdoor dining (covered or open-air), temporary shops or merchant stands; manned vending carts; green spaces (physically open to the sky); building access stairs or lobbies, storefront displays, etc. In addition, the areas dedicated to contributory occupation must be located with a majority of its frontage on the street or public sidewalk, and must be specifically designed to support contributory occupation. Under no circumstances will parking, *mechanical* or storage areas be considered contributory occupation.
4. Allowances for additional height above fifty-six (56) feet but not to exceed seventy (70) feet may be permitted for architectural features such as parapets, towers, pergolas, or other roof elements, and mechanical rooms, elevator penthouses and stair towers. Mechanical rooms, elevator penthouses and stair towers must be designed as integrated architectural elements. The design of such features is further limited as follows: they shall not contain enclosed habitable spaces (unless such habitable spaces are permitted as a result of the previous clause); the total rooftop occupation (including allowed enclosed habitable spaces and uninhabitable architectural features) shall not exceed 50 percent of the total rooftop area; the existence and design of any such features is subject to review and approval of the Board of Architectural Review.
5. ~~Notwithstanding the above, no portion of a structure, which structure is within fifty (50) feet of an existing building rated "exceptional" (Group 1) or "excellent" (Group 2) on the Historic Architecture Inventory adopted by Section 54-235 shall exceed the height of such existing building unless approved by the Board of Architectural Review.~~

Sec. 54-306. T.U. - Height District 120/30

In this district:

1. No structure, including appurtenant parts of a structure, except for elevator penthouses, or mechanical penthouses, shall exceed a height of one hundred twenty (120) feet nor shall any structure fronting on any street be lower than the height of thirty (30) feet.
2. All portions of a structure above the seventy (70) foot height level shall set back at least thirty (30) feet from all street right-of-way lines.
3. All principal structures fifty (50) feet or less in height shall have no set back from street right-of-way lines, subject to provisions of Article 3: Part 10; except such structures may be set back from street right-of-way a distance no greater than the least such set back of the two adjoining buildings on either side.
4. ~~Notwithstanding the above, no portion of a structure, which structure is within fifty (50) feet of an existing building rated "exceptional" (Group 1) or "excellent" (Group 2) on the Historic Architecture Inventory adopted by Section 54-235 shall exceed the height of such existing buildings unless approved by the Board of Architectural Review.~~

Sec. 54-306. U.V. - Height District 55/30 S

In this district:

1. No part of a structure shall exceed the height of fifty-five (55) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All structures shall have no minimum set back from street right-of-way lines, subject to provisions of Article 3: Part 10.

Sec. 54-306. V.W. - Height District 55/30

In this district:

1. No part of a structure shall exceed the height of fifty-five (55) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All structures shall have no set back from street right-of-way lines, subject to provisions of Article 3: Part 10.

Sec. 54 306.X. - Height District Chart

Charleston Height Districts			
Height District	Min/Max Floor to Floor Height by Use (ft)		Old HD's
2.5	Res: 10ft / 12ft		35
3 (3.5)	Res: 10ft / 12ft	Ground Floor Non-Res: 12ft / 14ft	50/25, 55/30
3.5 (4)	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	50/25, 55/30
4	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	50/25, 55/30, 80/30
5	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	55/30
6	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	55/30
7	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	
B	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	80/30, 100/30
2.5/3*	Res: 10ft / 12ft	Ground Floor Non-Res: 12ft / 14ft	50/25
4/12†	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	55/30

*: The 2.5/3 district is not eligible for height re-zonings as it is a specific, map based height district. Building heights in this district may be restricted by street right-of-way.

†: The 4/12 district is not eligible for height re-zonings as it is a tied to the Upper Peninsula zoning district.

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



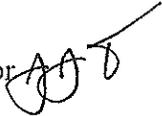
I1(a)

City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor 

DATE: January 28, 2020

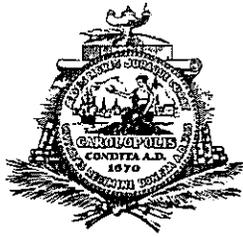
RE: Board of Zoning Appeals—Zoning Appointments

The Board of Zoning Appeals—Zoning comprises seven (7) citizens of the City of Charleston 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 whom may be non-citizen owners or principals of a business within the City of Charleston. Of the members appointed, one (1) shall be in real estate, one (1) an attorney, one (1) a merchant, and one (1) an engineer.

I am recommending the appointment of Howell Morrison as a replacement to Ross Appel. Mr. Morrison will hold the Attorney position on the Board of Zoning Appeals—Zoning. Earning his law degree from University of South Carolina, Mr. Morrison has practice law in the Lowcountry for over 40 years. His current practice specializes in business litigation which involves various types of real estate disputes.

The following is my recommendation for the Board of Zoning Appeals—Zoning:

- Howell Morrison – **New Appointment** – term expires 2/28/2022



I 1(b)

City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor 
DATE: January 28, 2020
RE: Bicycle and Pedestrian Advisory Committee Appointments

Bicycle and Pedestrian Advisory Committee shall comprise twelve (12) members. These members shall include: citizens at large concerned with bicycle and pedestrian issues; members with specialized knowledge and experience regarding the transportation needs of persons with physical and/or sensory disabilities; neighborhood advocates concerned with traffic and safety issues; representatives of bicycling, running, or walking advocacy or membership organizations, representatives of organizations concerned with non-motorized and public transportation issues; representatives from the bicycle or recreation dealership industry. Members who are neighborhood advocates or citizens at large shall be residents in the city throughout the terms of their positions.

I am recommending the appointment of six (6) board members. Two (2) of the appointees, Marijana Boone and David Lewin, have served the board faithfully in the past which is why I am recommending them for reappointment. The other four (4) appointees will all be new members. Steve Saltzman is the current CEO of the Charleston LDC, he previously served on the Bicycle and Pedestrian Advisory Commission in Durham, NC. Najeema Washington is the founder of Black Women Bike and currently works for the College of Charleston as the Associate Director of Alumni and Career Services. Bowen Powell is the general manager of the Beef Jerky Outlet on Market Street and a daily bicycle commuter. Gervais Del Porto is a former news producer and reporter, she is currently a communications professor at the Citadel. She is a lifelong bike enthusiast and mother of two.

The following are my recommendations for the Bicycle and Pedestrian Advisory Committee:

- Marijana Boone – **Reappointment** – term expires 2/28/2022
- David Lewin – **Reappointment** – term expires 2/28/2022
- Steve Saltzman – **New Appointment** – term expires 2/28/2022
- Najeema Washington – **New Appointment** – term expires 2/28/2022
- Bowen Powell – **New Appointment** – term expires 2/28/2022
- Gervais Del Porto – **New Appointment** – term expires 2/28/2022



I 1(c)

City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor 

DATE: January 28, 2020

RE: Planning Commission Appointments

With the resignation of Ravi Sanyal in October of last year, we have three vacant Planning Commission seats to fill during our next council meeting; one of which is a required attorney seat. We also need to shift the other required seat categories (development member and real estate member) to be in compliance with our Zoning Code pertaining to commission membership composition. To resolve this, I propose we appoint existing member, Sunday Lempesis, as the development community representative and existing member, Angie Johnson, as the real estate representative. Their current terms will not be affected by this move.

I will also be recommending an amendment to our Zoning Code creating alternates for the board. Like other boards, two alternate members will help the Planning Commission maintain a quorum for any future meeting. You will see an ordinance amendment at our January 28 City Council meeting for this change. Pending the ordinance amendment approval, I recommend we appoint Yvonne Fortenberry, a peninsula resident, and Cathy Kleiman, a West Ashley resident, to be the designated alternates.

Also, as pointed out during previous discussions about Planning Commission, it would be inclusive to appoint a member of the community from Johns Island. Fortunately, we have a wonderful candidate to fulfill this need as well as the requirement for an attorney to sit on the commission. I recommend Chaun Pflug, an attorney who lives in the Rushland area of Johns Island. Mr. Pflug runs his own law practice with a focus on real estate law, environmental law and has experience with many regional land use cases.

I am also recommending Jimmy Bailey, Jr. to fill the seat vacated by Gordon Geer. Jimmy is a peninsula resident and an active member of the Charleston community. He is a Community Management Executive with the Kiawah Island Community Association and has served in a similar capacity on Daniel Island in the past. Jimmy also served a brief stint on the City's Board of Zoning Appeals.

Finally, I am also honored to recommend appointing Dr. Eddie Irions, Jr. to our third vacant seat. Dr. Irions is a gastroenterologist in a local practice and a downtown resident. I believe he will fit well into our current board membership and serve as a professional, balanced voice on the board.

New Appointments:

Chaun Pflug – Johns Island – **Attorney seat** (replacing Ravi Sanyal) – Expires 2/28/2023

Jimmy Bailey – Peninsula – replacing Gordon Geer – Expires 2/28/2022

Eddie Irions – Peninsula – replacing Chris Fraser – Expires 2/28/2023

New Alternate Appointments:

Yvonne Fortenberry – Peninsula – Expires 2/28/2023

Cathy Kleiman – West Ashley – Expires 2/28/2023

To show resultant Planning Commission and for reference, existing members are:

Erika Harrison – Peninsula – Existing member – Expires 2/28/2022

Donna Jacobs – West Ashley – Existing member – Expires 2/28/2021

Angie Johnson – Daniel Island – **moving to the Real Estate seat** – Expires 2/28/2022

Charles Karesh – West Ashley – Existing member – Expires 2/28/2021

Sunday Lempeis – West Ashley – **moving to the Development seat** – Expires 02/28/2021

Harry Lesesne – James Island – Existing member – Expires 2/29/2020

**COMMISSION OF WOMEN RESOLUTION FOR
REFERRAL TO HR COMMITTEE FOR CONSIDERATION
AND VETTING BY CITY STAFF PRIOR TO FURTHER ACTION
BY HR COMMITTEE AND CITY COUNCIL**

A RESOLUTION BY THE CHARLESTON CITY COUNCIL TO ADOPT
A PAID FAMILY/PARENTING LEAVE POLICY TO PROVIDE PAID
LEAVE FOR CERTAIN QUALIFIED CITY EMPLOYEES

SPONSORED BY:

WHEREAS, The Family and Medical Leave Act, which was passed in 1993, only guarantees that qualifying workers can take up to 12 weeks of unpaid leave in one year to care for seriously ill family members, their dire health needs, or newborns, without loss of employment upon return.

WHEREAS, The United States is the only industrialized nation that doesn't provide universal leave to accommodate new parents and those with ill family members who temporarily leave jobs to become caregivers.

WHEREAS Congress passed and the President signed into law a 12 week paid family leave policy in December 2019.

WHEREAS, Providing workers with paid time off to attend to the health and needs of their new family members will ensure healthier and more productive personnel in the City of Charleston, and

WHEREAS, This policy will have a positive effect on Employees of the City of Charleston, by increasing employee retention and better recruitment of candidates for City positions.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Charleston that:

Section 1: The City's program of Paid Family/Parenting Leave will provide City employees of any gender, with up to 8 weeks of full income when they take time off from work upon the birth, adoption or foster placement of a child, and/or for the biological mother's pregnancy and childbirth recovery or to help care for a child, parent or spouse with a serious medical condition.

DRAFT DRAFT DRAFT

Section 2: The City of Charleston shall provide paid family/parenting leave to employees meeting the criteria of Section 1, at the rate of 100% of their then-prevailing salary.

Section 3: To be eligible for parenting leave, regular and appointed city employees must have been employed by the City of Charleston for at least six consecutive months immediately preceding the commencement of the paid parenting leave; eligible employees are parents including biological, adoptive, foster, legal guardians, domestic partners, and spouses.

Section 4: Paid Family/Parenting Leave must run concurrently with Family Medical Leave Act; employee need not use accrued sick or annual leave and will continue to accrue such leave during the period of paid parental leave, but will only be credited with it upon employee's return from paid parental leave.

Section 5: No portion of the paid family/parenting leave shall be transferable, cashable, or eligible to be saved for use at another time.

Section 6: Eligibility for the paid family/parenting leave expires at the end of the twelve-month period beginning on the date of birth or placement.

Section 7: City employees who use paid parenting or family leave shall not be subject to any loss of standing when they return to work. The taking of leave for the purpose of family care shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

BE IT FURTHER RESOLVED that the Human Resources Director is hereby directed to promulgate a formal policy of paid family/parenting leave consistent with this Resolution by July 1, 2020 and that such policy shall be included in the Personnel Handbook for City Employees.

City of Charleston

JOHN J. TECKLENBURG
MAYOR

RESOLUTION

URGING THE SOUTH CAROLINA GENERAL ASSEMBLY TO ADOPT H. 3063, "HATE BILL."

WHEREAS, according to the Federal Bureau of Investigations, in 2017 hate crimes across the United States rose by 17 percent and nearly three out of five incidents were related to race and ethnicity ("Incident, Offenses, Victims, and Known Offenders by Bias Motivation, 2017"); and

WHEREAS, City Council adopted the Hate Intimidation Ordinance set forth in Sec. 21-1 of the Code of the City of Charleston which provides penalties for persons convicted of a crime set forth in Chapter 21 of the Code with the intent to intimidate another person because of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, gender identity, physical or mental disability, or national origin; and

WHEREAS, South Carolina is one of only five states in the United States that does not have any laws on hate crimes; and

WHEREAS, H. 3063 is currently being considered by the House Judiciary Committee; and

WHEREAS, H. 3063 provides penalties for a person convicted of a crime with the intent to assault, intimidate, or threaten a person because of his or her race, religion, color, sex, age, national origin, sexual orientation, or homelessness; and

WHEREAS, City Council desires to protect the health, safety, and welfare of the citizens and visitors of the City of Charleston by urging the South Carolina General Assembly to support H. 3063, "Hate Crime Bill."

NOW, THEREFORE, BE IT RESOLVED that the City of Charleston City Council urges the South Carolina General Assembly to support H. 3063, "Hate Crime Bill."

RESOLVED this 28th day of January 2020, in City Council Chambers.



John J. Tecklenburg, Mayor
City of Charleston

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 28, SECTION 45, OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO PROVIDE IN SUBSECTION (F)(3) THAT A PERSON CONVICTED OF A THIRD OR SUBSEQUENT VIOLATION OF THIS SECTION MAY BE PROHIBITED FROM RETURNING TO THE STREETS AND SIDEWALKS DELINEATED IN SECTION (B) FOR A PERIOD OF SIXTY (60) DAYS

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

Section 1. Chapter 28, Section 45, of the Code of the City of Charleston is hereby amended by adding thereto the following underlined words and phrases which shall read as follows:

Sec. 28-45. - Promotion of civil sidewalks.

(a) *Findings.* The King and Market Street corridors in the downtown area of the city are places of gathering and commerce, where patrons, residents and visitors conduct business, shop, sightsee and recreate. Being in the heart of the peninsula, these corridors offer an array of services to support residents living nearby and those coming into the peninsula to enjoy the urban core of the city, to include shopping, dining and art venues. Being in the heart of the tourism district, these corridors are heavily impacted not by just visitors, but also by vendors and service providers tending to the needs of the industry businesses. Being adjacent to the College of Charleston campus, these corridors are also impacted by students tending to daily needs or seeking places to recreate. The sidewalks of these corridors, part of an urban street grid established in the eighteenth century, are narrow by modern standards and are incapable of being enlarged in any meaningful way. It is imperative that pedestrian flow along the sidewalks of these corridors be safe, effective and efficient during times of heavy use. The primary purpose of a sidewalk is to provide a means of conveyance by foot. Interferences with that purpose should be minimized to the extent feasible. Sitting or lying on the sidewalks of the King and Market Street corridors during times of heavy use poses a threat to safe pedestrian passage, especially for the elderly, disabled, vision-impaired and small children. As there exist alternate public places in the vicinity of the King and Market Street corridors that accommodate sitting or lying down, council finds it necessary and in furtherance of the public peace and good order that sitting or lying on the sidewalks of the King and Market Street

corridors be regulated in a manner that promotes safety but which preserves these areas for traditional constitutional expression and other lawful activity on sidewalks consistent with any city permitting requirements.

(b) *Prohibition.* During the hours between eight (8:00) a.m. and two (2:00) a.m., it is unlawful to sit or lie down upon a public sidewalk:

- (1) On King Street, between Line Street and Broad Street;
- (2) On streets crossing King Street for one (1) block in either direction of King Street between and including Line Street and Broad Street;
- (3) On North and South Market Streets, between King Street and East Bay Street; and
- (4) On streets crossing North and South Market Streets for one (1) block in either direction from North and South Market Streets between and including King and East Bay Street.

(c) *Exceptions.* The prohibitions in subsection (b) shall not apply to any person:

- (1) Sitting or lying on a public sidewalk due to a medical emergency;
- (2) Using a wheelchair, walker, or similar device as the result of a disability;
- (3) Operating or patronizing a commercial establishment conducted on the public sidewalk pursuant to a sidewalk use permit;
- (4) Participating in or attending a parade, festival, performance, rally, demonstration, meeting, picketing, or similar event conducted on the public sidewalk pursuant to and in compliance with a street use or other applicable permit;
- (5) Sitting on a fixed chair or bench located on the public sidewalk supplied by a public agency or by the abutting private property owner;
- (6) Sitting in line for goods or services unless the person or person's possessions impede the ability of pedestrians to travel along the length of the sidewalk or enter a doorway or other entrance alongside the sidewalk; or,
- (7) Who is a child seated in a stroller.

(d) *Warning.* No person shall be cited under this section unless the person engages in conduct prohibited by this section after having been notified by a police officer that the conduct violates this section.

(e) *Other laws and orders.* Nothing in any of the exceptions listed in subsection (c) shall be construed to permit any conduct which is prohibited by City Code sections 17-93, 17-98, and 21-109, which prohibit willfully and substantially obstructing the free passage of any person.

(f) *Penalties.*

(1) *First offense.* Upon conviction for a first offense of this section, the court shall impose a fine of not more than twenty-five dollars (\$25.00).

(2) *Subsequent offenses.* Upon conviction for a second offense of this Section, the court shall impose a fine of not more than fifty dollars (\$50.00). All further violations of this section maybe handled in a manner consistent with the City's general penalty provision as provided in section 1-16 of this Code.

(3) Trespass. In addition to these penalties, a person convicted of a third or subsequent violation of this section may be prohibited from returning to the streets and sidewalks delineated in section (b) for a period of 60 days from the date such notice is given. Notice of this prohibition may be given by any code enforcement officer, police officer, city attorney or judge of municipal court. Upon conviction of this provision a person may be sentenced in a manner consisted with the City's general penalty provision as provided I section 1-16 of this Code in addition to the penalties set forth above.

(g) *Reporting.* One (1) year after the effective date of the ordinance from which this section derives, and every two (2) years thereafter, the police department shall make a written report to the mayor and the city council members that evaluates the effectiveness of enforcement of this section in the King and Market Street Corridors as set out herein.

(h) *Outreach.* The city shall maintain an outreach plan summarizing the city's efforts with assisting those that are chronically found sitting or lying down on a public sidewalk. The outreach plan must outline what assistance the city supplies to connect individuals in need of social services with providers of the social services. The plan must also include, but not be limited to, health care and social service capacity, evaluation of service delivery and identification of areas for improved service delivery.

(i) *Severability.* If any subsection, sentence, clause, phrase, or word of this Section be for any reason declared unconstitutional or invalid or ineffective by any court of competent jurisdiction, such declaration shall not affect the validity or the effectiveness of the remaining portions of this section or any part thereof which can be given meaning without the offensive subsection, sentence, clause, phrase or word.

Section 2. This Ordinance shall become effective upon ratification.

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

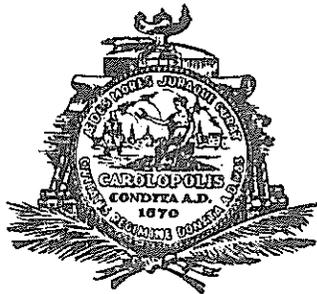
By:

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Vanessa Turner Maybank,
Clerk of Council

K1(c)



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 21, SECTION 67, OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO PROVIDE IN SUBSECTION 67(H)(3) THAT IF AN ABANDONED WATERCRAFT IS REMOVED BY THE CITY ALL COSTS ASSOCIATED WITH THE REMOVAL SHALL BECOME A LIEN AGAINST THE WATERCRAFT AND THAT THE CITY MAY BRING AN ACTION TO RECOVER THESE COSTS FROM THE OWNER.

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

Section 1. Chapter 21, Section 67, of the Code of the City of Charleston is hereby amended by adding thereto the following underlined words and phrases which shall read as follows:

Sec. 21-67. - Abandoned watercraft.

- (a) *Findings of fact.* City council hereby makes the following findings of fact:
 - (1) Abandoned watercraft on the land and water of the State of South Carolina have become a problem by way of safety issues, aesthetics and the environment;
 - (2) The South Carolina Legislature recently addressed this issue with new legislation which went into effect in December 2008;
 - (3) Section 50-21-30(1) of the referenced new state legislation specifically authorizes a municipality to pass a local ordinance pertaining to the subject of abandoned watercraft provided the provisions of such ordinance are identical to the provisions of Chapter 21 of Title 50 of the Code of Laws of South Carolina;
 - (4) Abandoned watercraft and the like have become a problem on the land and waters of the City of Charleston by way of safety issues, aesthetics and the environment and, as such, further finds that the regulations contained herein are necessary and proper, fair and reasonable, and are in the best interest of the City of Charleston; and
 - (5) City council has the authority to amend its Code of Ordinances, and now desires to so act with respect to the subject of abandoned watercraft.
- (b) *Authority.* This division is adopted for the promotion of the public health, safety and welfare and general convenience, pursuant to the police powers of municipalities generated by state legislation, including the State Home Rule Act, construed in accordance with provisions of the South Carolina

State Constitution and the South Carolina Code of Laws, and pursuant to the authority conferred by Title 50 of the South Carolina Code of Laws, specifically Section 50-21-30(1) thereof.

(c) *Definitions.* Except where the context clearly indicates otherwise, the following terms and phrases as used in this definition shall have the following meanings:

(1) *Abandon* or *abandoned* means any watercraft that has been moored, stranded, wrecked, sinking, or sunk, and has been left unattended for longer than forty-five (45) days. A watercraft is not abandoned if it is legally moored or is on private property.

(2) *Boat* means a vessel.

(3) *City* means the City of Charleston.

(4) *Department* means the South Carolina department of Natural Resources.

(5) *Legally moored* means any watercraft that has been moored or secured in a particular place in the water which is either done so pursuant to an OCRM permit or is located in an anchorage area approved by the U.S. Coast Guard.

(6) *Marina* means a facility which provides mooring or dry storage for watercraft.

(7) *Outboard motor* means a combustion engine or electric propulsion system, which is used to propel a watercraft and which is detachable from the watercraft as a unit. No outboard motor of less than five (5) horsepower or its equivalent is required to be titled under this division.

(8) *Owner* means a person, other than a lienholder, who claims lawful possession of a vessel or outboard motor by virtue of legal title or equitable interest in it which entitled him to possession.

(9) *Person* means an individual, a partnership, a firm, a corporation, an association, or other legal entity.

(10) *Temporary certificate of number* is a temporary registration assigned to a vessel to allow operation for a limited purpose.

(11) *Unattended* as it pertains to watercraft means there are no observable change in circumstances or evidence of being looked after or maintained in any way and no substantial change in location.

(12) *Use* means operate, navigate, or employ.

(13) *Vessel* means every description of watercraft, other than a seaplane regulated by the federal government, used or capable of being used as a means of transportation on water.

(14) *Waters of the city* means waters within the territorial limits of the City of Charleston but not on private lakes or ponds.

(15) *Waters of the state* means waters within the territorial limits of the State but not private lakes or ponds.

(16) *Watercraft* means any thing used or capable of being used as a means of transportation on the water but does not include: a seaplane regulated by the federal government, water skis, aquaplanes, surfboards, windsurfers, tubes, rafts, and similar devices or any thing that does not meet construction or operation requirements of state or federal government for watercraft.

(d) *Declaration of policy.* It is the policy of the city to promote safety for persons and property in and connected with the use, operation, and enjoyment of vessels on the land and waters of the city and the State of South Carolina which are located within the jurisdictional limits of the city.

(e) *Scope.* The provisions of this division and other applicable laws of this State, including but not necessarily limited to Title 50 of the South Carolina Code of Laws, shall govern all activity and matters related to abandoned watercraft on the land and waters of the City and the State of South Carolina which are located within the jurisdictional limits of the City.

(f) *Administration.* The administration and enforcement of the provisions of this Division shall be vested in the City of Charleston's Police Department. City police officers shall have the authority to board any vessel subject to the provisions of this Division or to any applicable rule or regulation for the purpose of inspection or determining compliance with the provisions of this Division and are empowered to issue a summons for appearance in court or make arrest for violations of this Division or the rules and regulations prescribed thereunder.

(g) *Towing of watercraft.* The city may tow and store at the nearest commercial marina or any other suitable facility any unattended watercraft or other object which constitutes a hazard to navigation and which is not within an anchorage area approved by the U.S. Coast Guard.

The owner may regain control of the watercraft or other object by proving ownership to the operator of the facility and paying the fee charged for storage.

(h) *Unlawful to abandon.*

(1) It is unlawful to abandon a watercraft or outboard motor on the public land or waters of this state or the city or on private property without permission of the property owner. This section does not apply to persons who abandon a watercraft in an emergency for the safety of the person onboard; however, after the emergency is over, the owner and operator of the abandoned watercraft shall make a bona fide attempt to recover the watercraft.

(2) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) or imprisoned up to thirty (30) days, or both. In addition, the owner must remove the abandoned watercraft within fourteen (14) days of conviction. The city municipal court is vested with jurisdiction for cases arising under this section.

(3) An abandoned watercraft must be removed at the risk and the expense of the owner. If removed by the city, all costs associated with the removal and storage of the watercraft shall become a lien against the watercraft. Nothing contained in this article shall prohibit the city from exercising its rights to bring an action to recover such costs associated with the removal and storage of the watercraft by the city.

(i) *Watercraft titles.*

(1) Any watercraft or outboard motor, or both, held or principally used in this State must be titled by the department. An owner of a watercraft or outboard motor titled in this State must notify the department within thirty (30) days if ownership is transferred to another person, entity, or transferred out of state or otherwise disposed.

(j) *Exceptions to titling.*

(1) Watercraft document by the United States Coast Guard or its predecessor or successor agency and water skis, aquaplanes, surfboard, windsurfers, and similar devices, and those watercraft propelled exclusively by human power are not required to be titled.

(k) *Evidence of ownership.*

(1) A certificate of title to a watercraft or outboard motor is prima facie evidence of ownership of a watercraft or outboard motor. All watercraft and outboard motors subject to the titling requirements of this division must be titled.

(2) No person may acquire a watercraft or outboard motor, subject to the titling requirements of this Division and Title 50 of the South Carolina Code of Laws, without obtaining a certificate of title or in the case of a new watercraft or outboard motor a manufacturer's or importer's statement of origin reflecting the person acquiring the watercraft or outboard motor as the original purchaser as provided in this Division and/or Title 50 of the South Carolina Code of Laws. In the case of watercraft or outboard motors from other jurisdictions that do not require titling, a bill of sale and proof of registration may be substituted for this title.

(3) No person may dispose of a watercraft or outboard motor subject to the titling provisions of this division and Title 50 of the South Carolina Code of Laws without transferring to the person acquiring the watercraft or outboard motor a certificate of title reflecting the transfer of the watercraft or outboard motor. In the case of new watercraft, a manufacturer's statement of origin must be delivered to the purchaser. In the case of watercraft or outboard motors from other states or foreign jurisdictions, which do not title such watercraft or out board motors, a bill of sale and proof of registration may be substituted.

(l) *Seizure of certain watercraft; notice of seizure and of time for removal; forfeiture and disposal.*

(1) A stolen or abandoned, junked, adrift, destroyed, or salvaged watercraft or outboard motor, a watercraft or outboard motor for which the true owner is not determined, or a watercraft or outboard motor on which the manufacturer's or assigned serial number has been destroyed, removed, covered, altered, or defaced may be seized.

(2) Upon seizure of the watercraft or outboard motor, the city shall notify a person claiming an interest in it, and the person has the right to prove his interest before the circuit court in the county where the property was seized. If no action is filed within sixty (60) days of notification, the department may retain the property for official use or transfer the property to another public entity for official use, sell the property at public auction, or, if the watercraft or outboard motor is determined to be unsafe, destroy it. The proceeds derived from the sale must be deposited in the boating operating fund of the city for administration of the program.

(3) When the city determines the owner of a seized watercraft or outboard motor and related marine equipment, it shall notify the owner by certified mail of the procedure, the location, and the fact that he has not less than thirty (30) days from the date of the certified letter to remove the equipment from the city's designated storage facility. If a security interest has been perfected, the city must notify the lienholder by certified mail allowing thirty (30) days to respond. Failure to respond within thirty days or remove the watercraft or outboard motor by the date designated forfeits the equipment to the City to be used or disposed of according to law.

(m) *Removal.* The city may chose to have a stolen or abandoned, junked, adrift, destroyed, or salvaged watercraft or outboard motor remain in the found location until such time as the owner of the watercraft or outboard motor is located, the watercraft or outboard motor is sold, or such time as all courses of laws are fulfilled.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in
the Year of Our Lord, 2020, 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



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service
January 29, 2020

MICHAEL METZLER
Interim Director of Public
Service

Mr. Kirk R. Richards, P.E.
Assistant District Maintenance Engineer
SCDOT-District Six
6355 Fain Blvd.
North Charleston, SC 29406

RE: Maintenance of street trees, concrete sidewalk and granite curb at 31 & 32
Laurens Street on Washington Street Row (S-1022) and (S-2387) to include Vernon
Street (S-221).

Dear Mr. Richards:

This letter concerns the proposed installation of street trees, concrete sidewalk and
granite curb to be constructed in conjunction with the project at 31 & 32 Laurens Street
known as Washington Street Row.

The City Council of Charleston, at its meeting held January 28, 2020, agreed to accept
maintenance responsibility for street trees, concrete sidewalk and granite curb within the
State maintained right-of-way shown on the attached drawing and which will be
constructed under a valid SCDOT Encroachment Permit. The City of Charleston agrees
to maintain this sidewalk and corner accessibility ramps in compliance with current ADA
and SCDOT standards (ADA Standards for Transportation Facilities, SC Highway
Design Manual, SCDOT Standard Drawings, AASHTO Guide for Development of
Pedestrian Facilities).

Should there be any questions, please do not hesitate to contact me at 843-724-3754 or at
metzlerm@charleston-sc.gov.

Sincerely,



Michael Metzler,
Interim Director of Public Service

Copy to:
Bret Jarotski, Bowman Consulting
Robert Hauck, GIS

MM/tmg

January 8, 2020

Mr. Tom O'Brien
Director of Public Service
City of Charleston – Public Service
2 George Street
Charleston, SC 29401

**RE: 31 & 32 Laurens Street
TRC-SP2018-000079
PWU Submission**

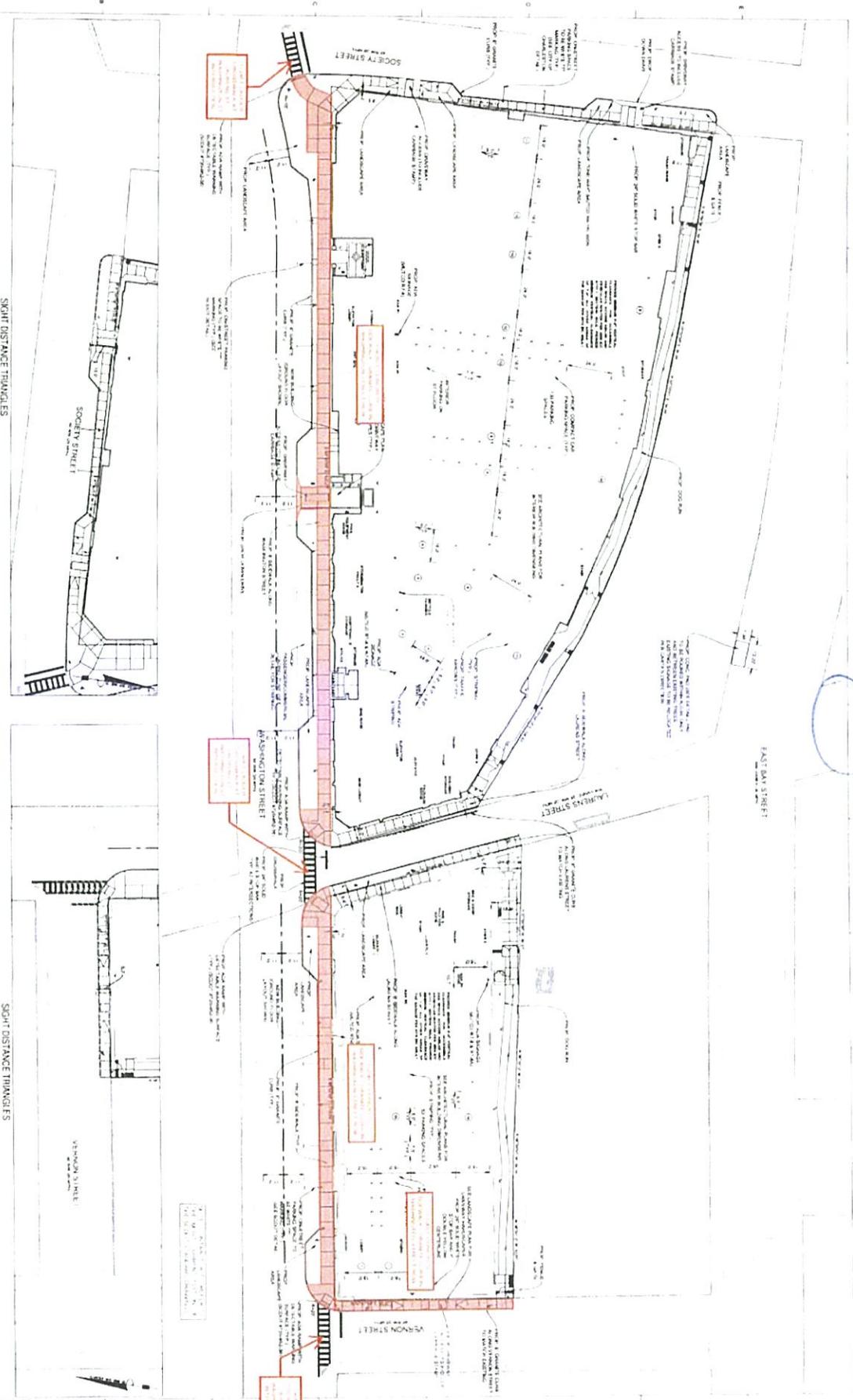
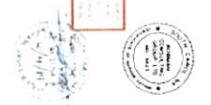
Dear Mr. O'Brien,

For the above referenced project, this is our office's formal submission for the City of Charleston PWU Committee's review and to be on the next schedule PWU Committee meeting agenda. Our office requests the PWU Committee review this letter and the provided exhibit in order to issue a "Maintenance Partner Agreement" to provide to SCDOT per their right-of-way maintenance requirements. The provided includes the location, linear footage, and material of the required right-of-way items that SCDOT has required the City to maintain.

Should you have any questions or comments, please contact our office at (843) 501-0333.

Very Respectfully,
BOWMAN CONSULTING GROUP, LTD.

Bret Jarotski
Senior Project Engineer



GENERAL NOTES

1. THE INFORMATION CONTAINED HEREIN IS FOR GENERAL INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

2. THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF LS3P AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF LS3P.

3. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE THAN THAT FOR WHICH IT WAS PREPARED. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

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SIGHT DISTANCE TRIANGLES

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CITY OF CHARLESTON TRAFFIC & TRANSPORTATION NOTES

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2. THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF LS3P AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF LS3P.

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SIGHT DISTANCE TRIANGLES

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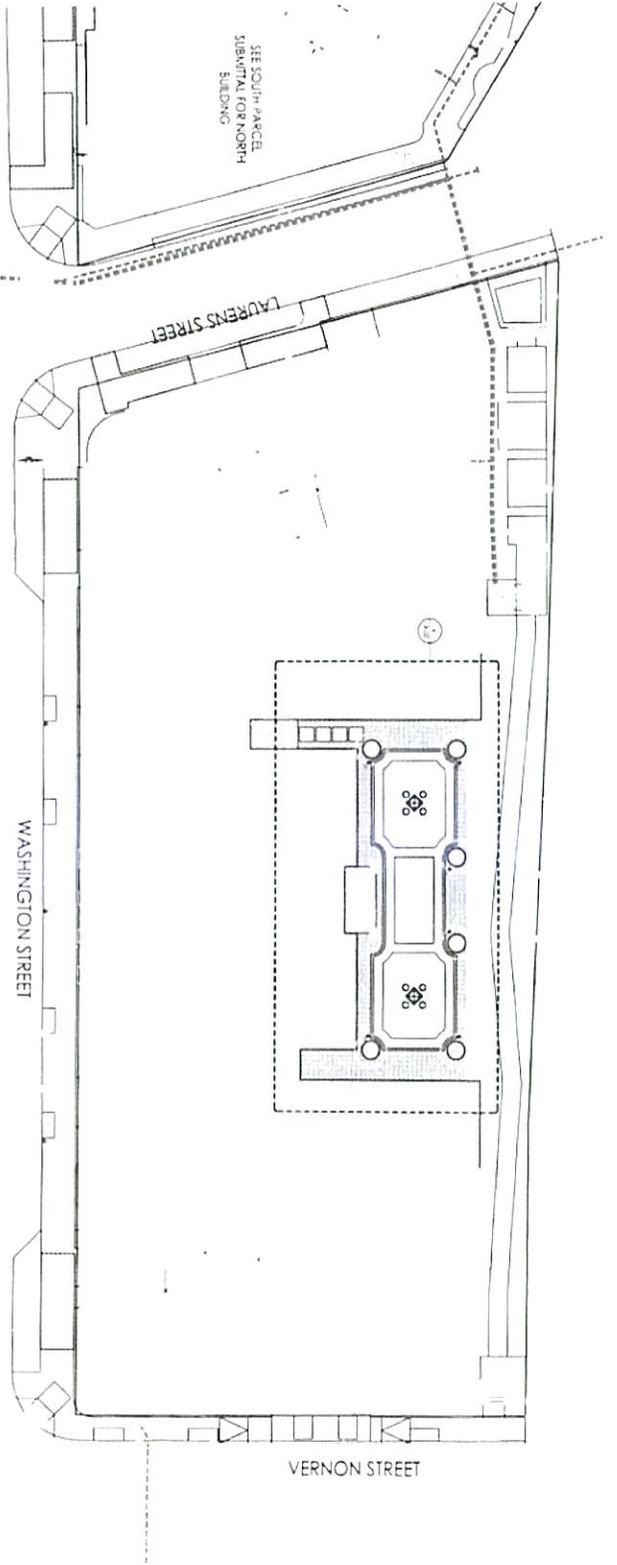
SITE PLAN
C300

31 AND 32
LAURENS STREET
NORTH PARCEL

NORTHERN LAND
COMPANY

LSJP

PREPARED BY: CONSULTANTS, INC.
1000 WEST 10TH AVENUE, SUITE 100
DENVER, COLORADO 80202
TEL: 303.733.1100
WWW.LSJP.COM



2 OVERALL SITE PLAN - AMBUND HALL



FOR THE RECORD: THIS PLAN WAS PREPARED BY CONSULTANTS, INC. FOR THE PROJECT OF AMBUND HALL, 31 AND 32 LAURENS STREET, DENVER, COLORADO. THE PLAN IS SUBJECT TO THE CITY OF DENVER PERMITTING DEPARTMENT REVIEW AND APPROVAL. THE PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF CONSULTANTS, INC.

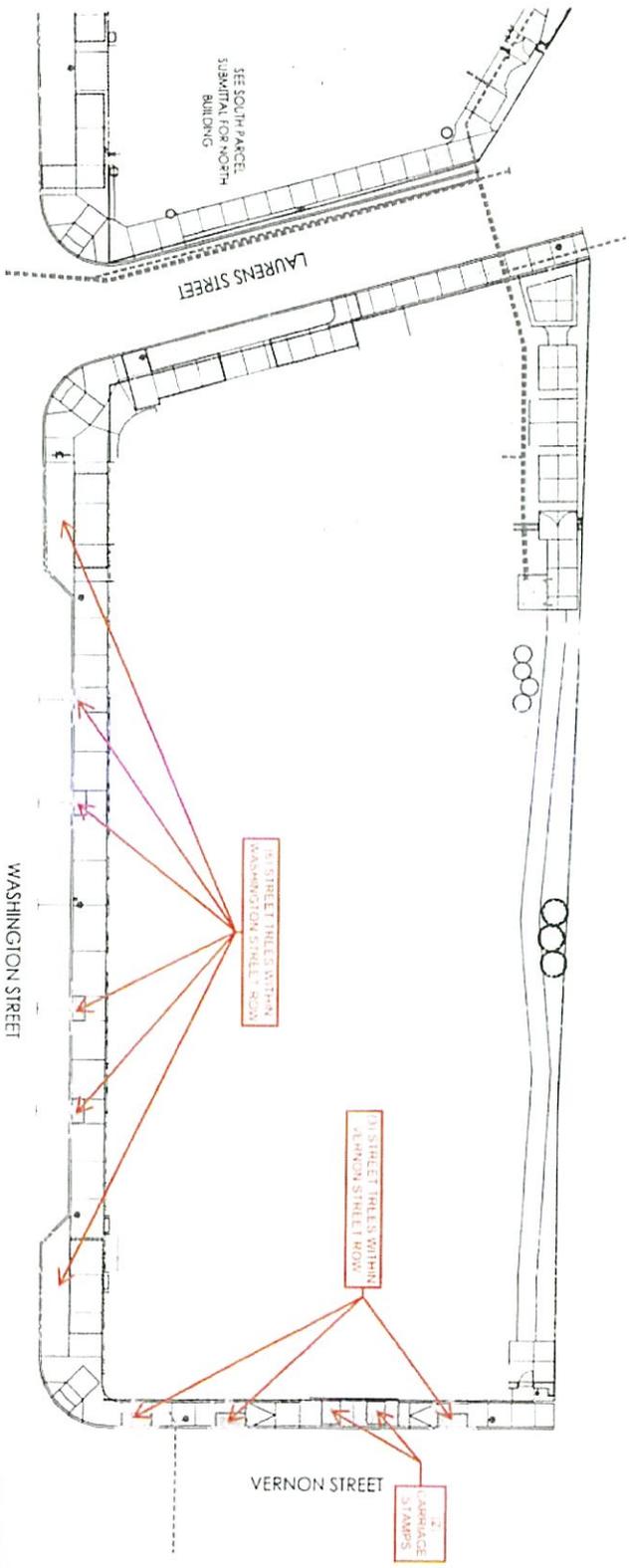
DATE: 12/15/11
 DRAWN BY: J. SMITH
 CHECKED BY: M. SMITH
 PROJECT: AMBUND HALL

OVERALL SITE PLAN

1:1.00

PERMIT SET

1 OVERALL SITE PLAN - SOUTHERN PARCEL



SEE SOUTH PARCEL SUBMITTAL FOR NORTH BUILDING

10 STREET TREES WITHIN WASHINGTON STREET ROW

10 STREET TREES WITHIN AUBURN STREET ROW

2 ABRIAGE STAMPS



Ratification
Number _____

A N O R D I N A N C E

AMENDING THE STORMWATER DESIGN STANDARDS MANUAL AS SET FORTH IN "EXHIBIT I," ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE, TO PROVIDE UPDATES REFLECTING ADVANCES IN TECHNOLOGY AND EXPERIENCE RELATED TO STORMWATER MANAGEMENT AND TO INCREASE THE FEES ASSOCIATED WITH STORMWATER PLAN REVIEW, STORMWATER INSPECTIONS, AND TRANSFERS.

WHEREAS, pursuant to Sec. 27-28 of The Code of the City of Charleston, City Council adopted a Stormwater Design Standards Manual on January 12, 2010; and

WHEREAS, City Council subsequently adopted revisions to the Stormwater Design Standards Manual on February 8, 2011 and February 26, 2013; and

WHEREAS, Sec. 27-28 of The Code of the City of Charleston provides that the Stormwater Design Standards Manual "shall be updated as needed to reflect advances in technology and experience related to stormwater management;" and

WHEREAS, the Department of Stormwater Management has prepared certain updates to the Stormwater Design Standards Manual, including fee increases for fees associated with stormwater plan review, stormwater inspections, and transfers, which fee increases are subject to the approval of City Council; and

WHEREAS, City Council wishes to adopt such revisions to the Stormwater Design Standards Manual.

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

Section 1. The Revised Stormwater Design Standards Manual, dated _____, 2020, attached hereto and incorporated herein by reference as "Exhibit I," is hereby adopted, as amended, to provide updates reflecting advances in technology and experience related to stormwater management and to increase the fees associated with stormwater plan review, stormwater inspections, and transfers.

Section 2. The revisions to the Stormwater Design Standards Manual, as set forth in Exhibit I, including the fee increases associated with stormwater plan review, stormwater inspections, and transfers, shall become effective on July 1, 2020.

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this ___ day of _____ in the
year of Our Lord, 2020, in the ____ Year of the
Independence of the United States of America.

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

ATTEST: By: _____
Vanessa Turner Maybank
Clerk of Council

EXHIBIT I

(Attach Revised Stormwater Design Standards Manual dated _____, 2020)

Nl.)



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 PREVIOUSLY UNZONED RIGHT-OF-WAY LOCATED AT THE NORTH END OF BENDER STREET (WEST ASHLEY) (APPROXIMATELY 0.13 ACRE) (COUNCIL DISTRICT 3), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION. THE PROPERTY IS OWNED BY THE CITY OF CHARLESTON.

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 that the below described property shall become a part thereof:

A portion of Bender Street (West Ashley) (approximately 0.13 acre) (unzoned right-of-way)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-2) classification.

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

Zoning

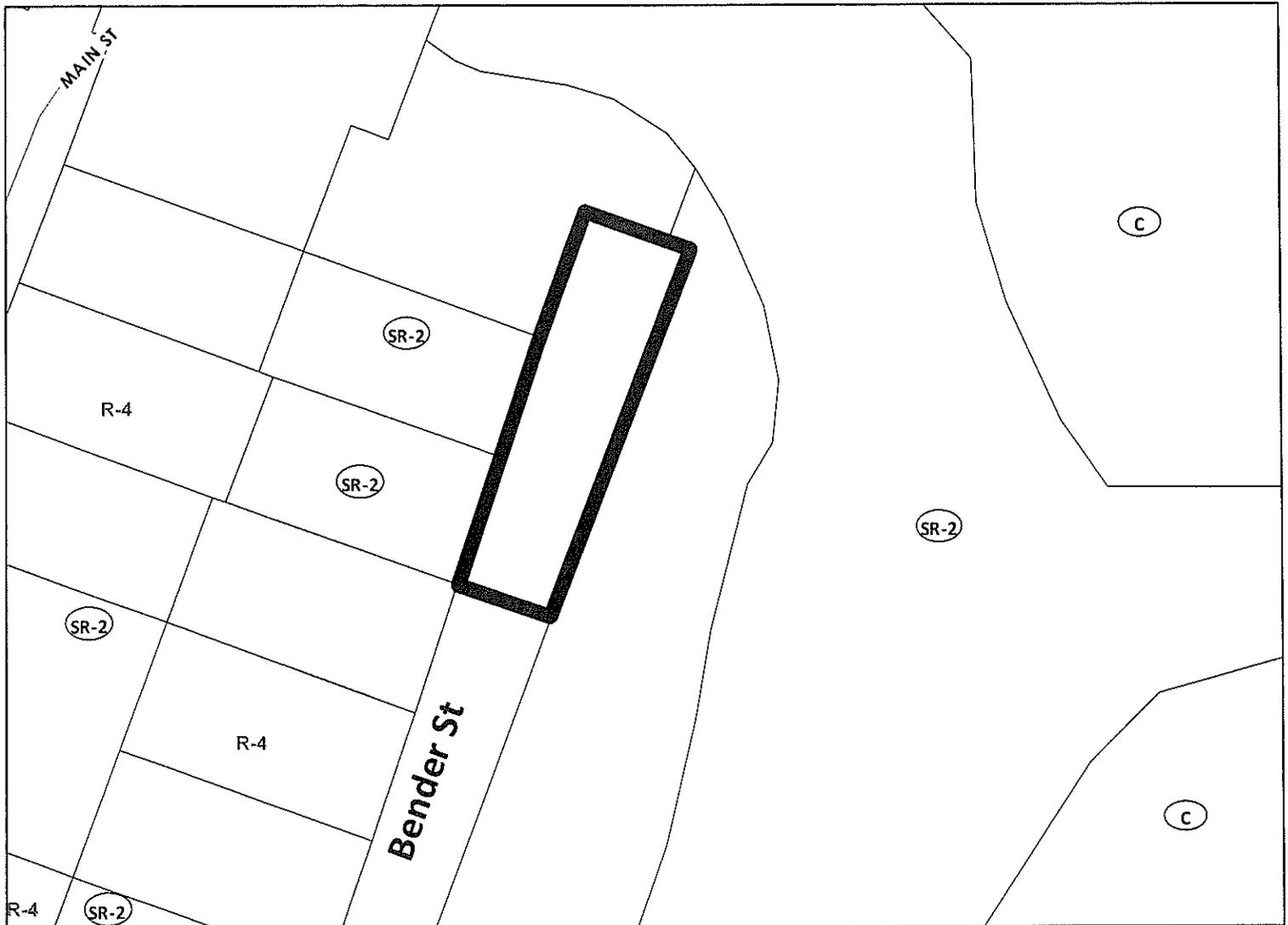
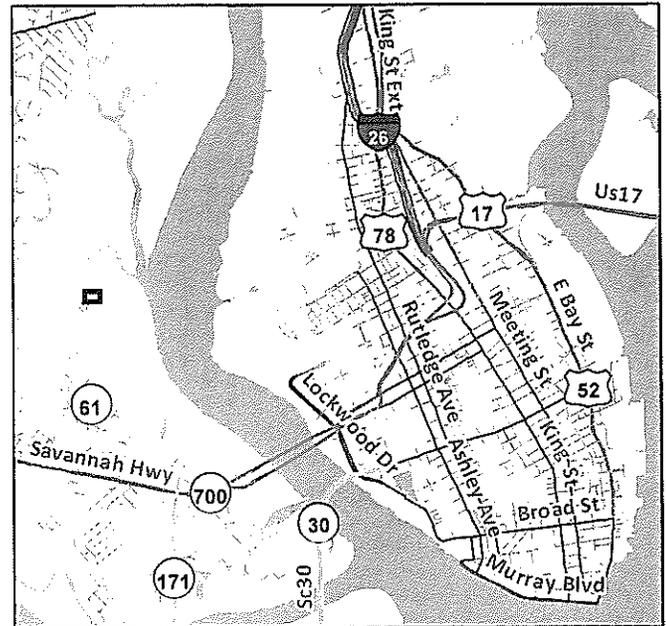
A portion of Bender St (West Ashley)

Unzoned Right-of-Way

approx. 0.13 ac.

Request zoning of previously unzoned
right-of-way to Single-Family Residential (SR-2)

Owner: City of Charleston
Applicant: City of Charleston





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 PLANNING COMMISSION COMPOSITION TO ESTABLISH COMMISSION MEMBER ALTERNATES AND TO UPDATE OTHER APPLICABLE SECTIONS RELATED TO PLANNING COMMISSION RULES AND PROCEDURES.

Section 1. That Section 54-941 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:

Sec. 54-941. - Planning Commission composition; terms; organization; meetings; procedural rules.

a. The Planning Commission shall consist of the nine (9) members and two (2) alternates ~~citizens of the city of Charleston~~ who do not hold an elected public office 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 whom may be non-citizen owners or principals of a business within the City of Charleston. Of the members appointed, one (1) shall be an attorney, one (1) shall be in real estate, and one (1) shall be a representative of the development community. Members of the commission and alternates first to serve shall serve be appointed for staggered terms of three (3) years or until their successors are appointed as described in the Code of the City of Charleston Sec. 2-152 the agreement of organization and shall serve until their successors are appointed by City Council. A vacancy on the Planning Commission must be filled for the unexpired term in the same manner as the original appointment. City Council may remove any member of the commission for cause.

b. The Planning Commission shall organize itself electing one of its members as chairman and one as vice-chairman whose terms must be for one year. It shall appoint a secretary who may be an officer or employee of the governing authority or of the Planning Commission.

c. The Planning Commission shall meet at the call of the chairman and at such times as the chairman or commission may determine.

d. The commission shall adopt rules of organizational procedure (Appendix F) and shall keep a record of its resolutions, findings, and determinations, which record must be a public record. ~~The Planning Commission may purchase equipment and supplies and may employ or contract for such staff and such experts as it considers necessary and consistent with funds appropriated.~~

e. Alternate members, when seated, have all the powers and duties of regular members. Alternate members may always attend meetings but shall only participate in Planning Commission 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 Appendix E of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting all sections and text and reserving Appendix E for future use as the information and references in this appendix are no longer in accordance with applicable State and City codes.

Section 3. That Appendix F, Article I, Section 1, Section 2 and Section 3 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) are hereby amended by deleting text shown below with ~~strikethrough~~ and adding text shown below with double underline:

Section 1. - Rules.

~~These rules of procedure are adopted pursuant to S.C. Code 6-29-360 for the City of Charleston Planning Commission, which consists of nine (9) members and two (2) alternates appointed by City Council, are adopted pursuant to applicable State codes, the Code of the City of Charleston Sec. 2-152, and Article 9, Part 3 of this Zoning Ordinance. Initially, three members shall be appointed for a one (1) year term, three members shall be appointed for a two (2) year term and three members shall be appointed for a three (3) year term. Thereafter, all appointments to the Commission shall be for a three (3) year term to keep the terms of appointments staggered.~~

Section 2. - Office of the Commission.

~~The office of the Commission shall be the Zoning Division office in the Department of Planning, Preservation & Sustainability, or its successor department, and Urban Development, 3rd floor, 75 Calhoun Street, Charleston, South Carolina 29401.~~

Section 3. - Officers.

The officers of the Commission shall be a chairman and vice-chairman elected for one year terms or until their successors are elected and qualified. ~~at the first meeting of the Commission in each calendar year.~~ The Commission shall appoint a member of the staff of the City as secretary of the Commission.”

Section 3. That Appendix F, Article II, Section 1 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 1. - Time and Place.

The Planning Commission shall meet ~~on the third Wednesday of each month at 5 p.m., unless such day is a legal holiday in accordance with.~~ An annual schedule of regular meetings and submittal deadlines for the upcoming year shall be that is published by the Department of Planning, Preservation and Sustainability, or its successor department, and posted in the Zoning Division office by December of each year. Special meetings may be called by the chairman upon 24 hours notice, posted and delivered to all members and local news media. Meetings shall be held at the place stated in the notices, and shall be open to the public.”

Section 4. That Appendix F, Article V, Section 3 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 3. - Comprehensive Plan.

All zoning and land development regulation amendments shall be reviewed first for conformity with the comprehensive plan. Conflicts with the comprehensive plan shall be noted in any report to the governing body on a proposed amendment. The elements of the comprehensive plan shall be reviewed and updated on a schedule adopted by the Commission meeting the requirements of applicable State codes, S.C. Code 6-29-510(E).”

Section 5. That Appendix F, Article VI, Section 1 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 1. - Adoption.

These rules were adopted by vote of a majority of the members of the Commission at a regular public meeting on May 19, 1999. Amendments to these rules were adopted by vote of a majority of the Commission at a regular public meeting on *(insert date of meeting)*.”

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