City Hall
80 Broad Street
February 25, 2020
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Brady

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Recognition of the Rotary Club of Charleston's $50,000 grant to the City of Charleston Police Department to establish a Leadership Development Institute

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 276 Coming Street (Peninsula) (0.07 acre) (TMS #460-04-04-003) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by Matthew Black Lineberger. **(The Planning Commission recommends disapproval.)** *(DEFERRED AT THE REQUEST OF THE APPLICANT)*

2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 23 Felix Street (Peninsula) (0.04 acre) (TMS #460-12-01-011) (Council District 4), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by Laura Paris Paton and Christopher Paton. **(The Planning Commission recommends disapproval.)**

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 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 Districts classification to 4-12 Old City Height District classification. The property is owned by the BCDCOG. **(SECOND READING)**

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 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. **(SECOND READING)**

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 Design Review Board 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; and to amend Sec. 54-120 of the Zoning Ordinance to add definitions for the terms "bikeway" and "multi-use path." **(AS AMENDED) (SECOND READING)**

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 114 Tall Oak Avenue (West Ashley) (0.24 acre) (TMS #418-13-00-092) (Council District 9), annexed into the City of Charleston January 14, 2020 (#2020-010), be zoned Single-Family Residential (SR-2) classification. The property is owned by Myrtle Graves Rahn Mixson.

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

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. January 28, 2020

H. Citizens Participation Period

I. Petitions and Communications:

(i) A Resolution opposing further 5G restrictions and legislation on local governments

(ii) A Resolution urging South Carolina's U. S. Senators and members of the House of Representatives to request the Federal Communications Commission to work in cooperation with other relevant Federal agencies to revisit and update studies on potential health effects arising from RF Wireless Emissions associated with 5G Technology.

(iii) Report from the Resiliency and Sustainability Advisory Committee

J. Council Communications:

K. Council Committee Reports:

1. Committee on Community Development: (Meeting was held Tuesday, February 25, 2020 at 4:00 p.m.)

a. Resolution to certify pursuant to South Carolina Abandoned Buildings Revitalization Act three (3) building sites located at 286-288 King Street, Charleston County, TMS #457-04-04-042.

2. Committee on Public Safety: (Special Meetings were held Thursday, February 13, 2020 at 9:30 a.m. and 1:00 p.m.)

a. Executive Session in accordance with S.C. Code Section 30-4-70(a)(1) to interview

candidates for Municipal Judge

3. **Committee on Traffic and Transportation: (Meeting was held Tuesday, February 25, 2020 at 2:30 p.m.)**

   a. SCDOT Projects and Processes Overview (information only)

   b. Traffic Calming Update

   c. Director's Update

4. **Committee on Public Works and Utilities: (Meeting was held Monday, February 24, 2020 at 4:00 p.m.)**

   a. **Acceptance and Dedication of Rights-of-Way and Easements:** ***(TO BE SENT UNDER SEPARATE COVER BY THE PUBLIC SERVICE DEPARTMENT)***

   (i) Acceptance and Dedication of Swygert's Landing Phase 4, a portion of Sarnoff Street (60' & 50', 2150LF).
   - Title of Real Estate
   - Affidavit for Taxable or Exempt Transfers
   - Exclusive Stormwater Drainage Easement Agreement
   - Plat

   (ii) Acceptance and Dedication of Bennett's Bluff Phase 1, a portion of Elliott's Cut Drive (50'RW, 1254.77LF).
   - Title of Real Estate
   - Affidavit for Taxable or Exempt Transfers
   - Exclusive Stormwater Drainage Easement Agreement
   - Plat

   (iii) Acceptance and Dedication of Marshes at Cooper River Phase 2 at Maddux Alley (20', 152LF).
   - Title of Real Estate
   - Affidavit for Taxable or Exempt Transfers
   - Exclusive Stormwater Drainage Easement Agreement
   - Plat

   (iv) Acceptance and Dedication of Marshes at Cooper River Phase 2 at Mountaineer Landing Drive (35', 265LF).
   - Title of Real Estate
   - Affidavit for Taxable or Exempt Transfers
   - Exclusive Stormwater Drainage Easement Agreement
   - Plat

   (v) Acceptance and Dedication of Marshes at Cooper River Phase 2 at Ocean Drive (35', 216LF).
   - Title of Real Estate
   - Affidavit for Taxable or Exempt Transfers
   - Exclusive Stormwater Drainage Easement Agreement
   - Plat

(vi) Acceptance and Dedication of Farr Street in Daniel Island at Lime Lane (589').
- Title of Real Estate
- Affidavit for Taxable or Exempt Transfers
- Exclusive Stormwater Drainage Easement Agreement
- Plat

(vii) Dedication and Acceptance of a portion of Henry Tecklenburg Drive, as shown on Plat L19 at Page 0470, recorded on November 4, 2019, in the Register of Deeds Office for Charleston County, South Carolina. Title to Real Estate and Plat attached.

b. Stormwater Management Department Update:

(i) Stormwater Plan Review Services – Increase in Not to Exceed Fee from $75,000 to $125,000 with Johnson, Lachober & Associates.

(ii) Stormwater Design Standards Manual – Discussion of February 20th Public Outreach Meeting

c. Recommend approval of 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)

5. License Committee: (Meeting was held on Tuesday, February 25, 2020 at 3:30 p.m.)

a. Review of legislation regarding SC Business License Tax Reform Act H4431

6. Committee on Recreation: (Meeting was held on Monday, February 24, 2020 at 5:00 p.m.)

a. Presentation of the Parks and Recreation Master Plan

b. Discussion regarding Lowline funding

c. Additional Items for Discussion as requested: *(Action may or may not be taken on any of the below items)*
- Update: 1099 King Street, the Reverend Alma Dungee Community Center;
- Update: Renovations at the Municipal Golf Course;
- Update on the Charleston Battery:
- City property on Woodland Road;
- Golf Course Commission and Recreation Commission (citizen advisory boards);
- Brantley Park;
- Longborough Exchange Agreement;
- Stoney Field;
- WPAL;
- Status of the ongoing Cultural Planning Process;
- Status of Cannon Street Arts Center (134 Cannon);
- Corrine Jones Community Garden proposal;
- Fallen Oak Park;
- Ferguson Village;
- Wellness and Aquatics Center Complex;

7. Committee on Ways and Means:

(Parks: Approval to accept the Palmetto Pride – Keep South Carolina Beautiful Grant in the amount of $9,000 for use by Keep Charleston Beautiful. No City match is required.

(Office of Cultural Affairs: Approval to apply for $15,000 from Charleston County Local Accommodation Tax Funding, to support the 2020 MOJA Arts Festival. The project period is 9/24/20 – 10/4/20. No City match is required.

(Office of Cultural Affairs: Approval to apply for $15,000 from Charleston County Local Accommodation Tax Funding, to support the 2021 Piccolo Spoleto Festival. The project period is 5/28/21 – 6/13/21. No City match is required.

(Office of Cultural Affairs: Approval to apply for $25,000 from Charleston County Local Accommodation Tax Funding, to support the Charleston 350 Commemoration. The project period is 7/1/20 – 11/8/20. No City match is required.

(Office of Cultural Affairs: Approval to apply for $10,000 from Charleston County Local Accommodation Tax Funding, to support 2020 Holiday Magic in Historic Charleston. The project period is 12/1/20 – 12/31/20. No City match is required.

(Office of Cultural Affairs: Approval to apply for $10,000 from Charleston County Local Accommodation Tax Funding, to support the 2020 Free Verse Poetry Festival. The project period is 10/11/20-10/18/20. No City match is required.

(Parks-Capital Projects: Approval of Stoney Field Renovations-Benches, Rails, Fences, and Gates Construction Contract in the amount of $479,182 with H2I Group to install new benches, railings, fencing, and gates at Stoney Field. Approval of a Construction Contract will obligate $479,182 of the $4,268,480.50 project budget. Funding sources for this project are: 2005 GO Bond ($399,048), 2018 GO Bond ($2,600,000), Hospitality Funds ($1,250,000), and Capital Contribution ($19,432.50).

(Parks-Capital Projects: Approval of St. Julian Devine Improvements Change Order #1 with Satchel Construction, LLC in the amount of $78,266.03 for repair and replacement of damaged window and door lintels and brickwork that were not included in original documents, a credit for finished hardware allowance, and an elevator repair allowance overage. Approval of Change Order #1 will increase the Construction Contract by $78,266.03 (from $520,800 to $599,066.03). Funding sources for this project are 2015 General Fund Reserves ($250,000), 2018 General Fund Reserves ($400,000), Cooper River Bridge TIF ($2,250,000), and Capital Contribution ($210,000).

(Parks-Capital Projects: Approval of a Construction Contract with Southern Energy Resources, LLC, in the amount of $328,000 for the removal and replacement of generators at 4 fire stations (FS 2/3, FS 8, FS 12, FS 17). 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 $460,583 of which the $328,000 construction contract will be funded. Funding sources for this project are: FEMA Hazard Mitigation Grant ($345,432), 2012 General Fund Reserves ($62,864.74), 2013 General Fund Reserves ($30,858.26), and 2015 General Fund Reserves ($21,428).

(Parks-Capital Projects: Approval of a Construction Contract with Bohicket Construction in the amount of $98,202 to furnish and install a standby generator for CPD Team 4 office. 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 $120,001.09 of which the $98,202 construction contract will be funded. Funding sources for this project are: FEMA Hazard Mitigation Grant ($75,923), and the Police Operating Budget ($44,078.09).

(Parks-Capital Projects: Approval of a James Island Recreation Center Generator Construction Contract with Bohicket Construction in the amount of $91,733 to furnish and install a standby generator for the James Island Recreation Center. 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 $113,589.41 of which the $91,733 construction contract will be funded. Funding sources for this project are: FEMA Hazard Mitigation Grant ($74,795) and the Police Operating Budget ($38,794.41).

(Stormwater Management: Approval of a $50,000 increase to the existing NPDES Stormwater Plan Review Services Contract with Johnson, Laschober, and Associates. This will increase the contract amount from $75,000 to $125,000. The original contract was previously approved in the 2020 Stormwater Budget. *(Pending recommendation of the Public Works and Utilities Committee.)*

(Review of legislation regarding SC Business License Tax Reform Act H4431

(Consider the following annexations:

- 340 & 342 Woodland Shores Road (TMS# 343-11-00-112; 343-11-00-111) 0.7 acre, James Island (District 11). The property is owned by Jennifer Finger Krause.
- 513 Arlington Drive (TMS# 310-07-00-090) 0.51 acre, West Ashley (District 11). The property is owned by Vaughn Loeffler and Sylvia De Jong.
- 1384 Joy Avenue (TMS# 352-10-00-015) 0.45 acre, West Ashley (District 9). The property is owned by Gary H. Seel and Hope E. Seel.

Give first reading to the following resolutions and bill from Ways and Means:

An ordinance to provide for the annexation of property known as 340 & 342 Woodland Shores Road (0.7 acre) (TMS# 343-11-00-112; 343-11-00-111), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Jennifer Finger Krause.

An ordinance to provide for the annexation of property known as 513 Arlington Drive (0.51 acre) (TMS# 310-07-00-090), 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 Vaughn Loeffler and Sylvia De Jong.

An ordinance to provide for the annexation of property known as 1384 Joy Avenue (0.45 acre) (TMS# 352-10-00-015), 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 9. The property is owned by Gary H Seel and Hope E Seel.

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 for all new residential and non-residential construction and from one foot to two feet for substantial improvement of all commercial, industrial or other non-residential structures, effective July 1, 2020* ***(AS AMENDED). (TO BE SENT UNDER SEPARATE COVER BY THE LEGAL DEPARTMENT)***

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 providing for the issuance and sale of a not exceeding $7,900,000 Special Obligation Redevelopment Bond (Charleston Neck Redevelopment Project Area), Series 2020, of the City of Charleston, South Carolina, and other matters relating thereto.*

2. *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) (SECOND READING ONLY – A PUBLIC HEARING AND THIRD READING WILL BE HELD AT THE MARCH 10TH CITY COUNCIL MEETING)***

3. *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.* ***(AS AMENDED)***

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) by amending applicable sections related to Planning Commission composition to establish commission member alternates and to update other applicable sections related to Planning Commission Rules and Procedures. (DEFERRED FOR PUBLIC HEARING)*

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 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)*

10. *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)*

11. *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)*

12. *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 Chapter 2, Administration, Article IX, Department of Housing and Community Development, of the Code of the City of Charleston, to amend Section 2-286 to increase membership on the Redevelopment and Preservation Commission from twelve (12) to thirteen (13) members.

2. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to incorporate provisions to allow subdivison and development of Single Family Detached Affordable Housing as a conditional use within multiple base zoning districts.

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 Grimball, 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)*

O. Miscellaneous Business:

1. The next regular meeting of City Council will be Tuesday, March 10, 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, February 25, 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 276 Coming Street (*Cannonborough-Elliottborough – Peninsula*) (0.07 acre) (TMS # 460-04-04-003) from Diverse-Residential (DR-2F) classification to Commercial Transitional (CT) classification. **The Planning Commission recommends disapproval.**

2. To rezone 23 Felix Street (*Cannonborough-Elliottborough – Peninsula*) (0.04 acre) (TMS # 460-12-01-011) from Diverse-Residential (DR-2F) classification to Commercial Transitional (CT) classification. **The Planning Commission recommends disapproval.**

3. To rezone a portion of 1320 King Street Extension (Peninsula) (approx. 0.94 acre) (a portion of TMS# 464-14-00-191) from 8 and 2.5 Old City Height District Classification to 4-12 Old City Height District Classification.

ORDINANCE AMENDMENT

1. 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."*

   *the title of the above-referenced bill has been amended to read as follows:

   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 Design Review Board 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; and to amend Sec. 54-120 of the Zoning Ordinance to add definitions for the terms "bikeway" and "multi-use path."

ZONINGS

To zone the following properties:

1. 114 Tall Oak Avenue (*Ashley Forest – West Ashley*) (0.24 acre) (TMS # 418-13-00-092), recently annexed into the City of Charleston, Single-Family Residential (SR-2).

2. Previously unzoned right-of-way located at 1320 King Street Extension (*Peninsula*) (approx. 1.50 acres) (TMS #464-14-00-191) Upper Peninsula District (UP).

3. Previously unzoned right-of-way located at north end of Bender Street (*West Ashley*) (approx. 0.13 acre) (TMS # to be assigned) Single-Family Residential (SR-2).

VANESSA TURNER MAYBANK
Clerk of Council

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 schumacherj@charleston-sc.gov three business days prior to the meeting.

Please insert as a Display Ad in the Post Courier on Sunday, February 9, 2020. Charge account PC103190.

Please insert as a Display Ad in the Charleston Chronicle on Wednesday, February 12, 2020. **Please provide an affidavit of publication for all public hearings.**

CITY OF CHARLESTON
PLANNING COMMISSION

MEETING OF JANUARY 15, 2020

A meeting of the City of Charleston Planning Commission was held at **5:00 p.m., on Wednesday, January 15, 2020** in the Public Meeting Room, 1st Floor, 2 George St. The following applications were considered:

PRESENTATION

Planning Commission recognized former member and Chair of Planning Commission, Gordon Geer.

REZONINGS

1. **276 Coming Street (Cannonborough-Elliottborough – Peninsula) TMS # 4600404003** – 0.07 ac. Request rezoning from Diverse-Residential (DR-2F) to Commercial Transitional (CT).

   RECOMMEND DISAPPROVAL (3-2)

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

   RECOMMEND DISAPPROVAL (4-1)

3. **Laurel Island (Peninsula Neck Area) TMS # 4640000006, 002, 023, 038, 4590200013, and 4611303024** – approx. 196.1 ac. Request rezoning from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) to Planned Unit Development (PUD) (Laurel Island).

   DEFERRED BY APPLICANT

SUBDIVISION

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

   DEFERRED BY APPLICANT

ORDINANCE AMENDMENT

1. 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.

   WITHDRAWN. CORRECTION OF SCRIVENER'S ERROR DOES NOT REQUIRE PC REVIEW.

ZONING

1. **114 Tall Oak Ave (Ashley Forest – West Ashley) TMS # 4181300092** – 0.24 ac. Request zoning of Single-Family Residential (SR-2). Zoned Single-Family Residential (R-4) in Charleston County.

   RECOMMEND APPROVAL (6-0)

E2.)

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 23 FELIX STREET (PENINSULA) (0.04 ACRE) (TMS #460-12-01-011) (COUNCIL DISTRICT 4), BE REZONED FROM DIVERSE RESIDENTIAL (DR-2F) CLASSIFICATION TO COMMERCIAL TRANSITIONAL (CT) CLASSIFICATION. THE PROPERTY IS OWNED BY LAURA PARIS PATON AND CHRISTOPHER PATON.

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 Commercial Transitional (CT) classification.

Section 2. The property to be rezoned is described as follows:

23 Felix Street (Peninsula) (0.04 acre) (TMS #460-12-01-011)

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

City of Charleston

Planning Commission
January 15, 2020

REZONING 2

23 Felix St (Peninsula)

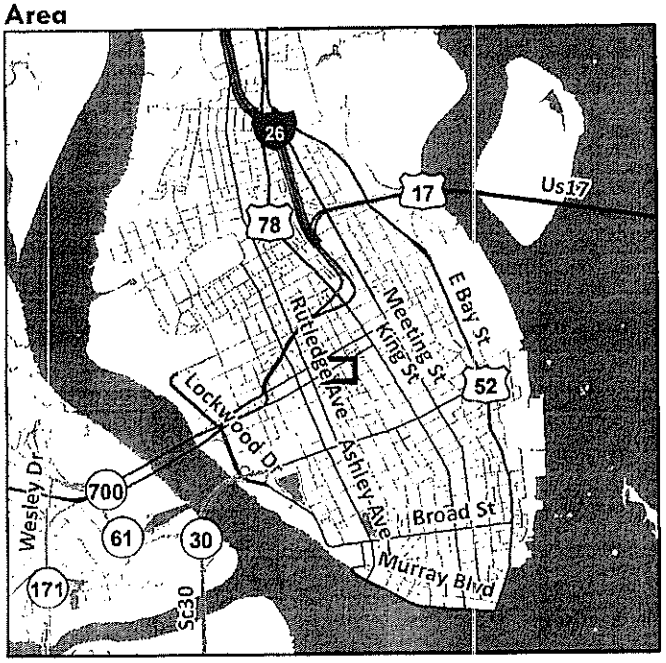
TMS # 4601201011

approx. 0.04 ac.

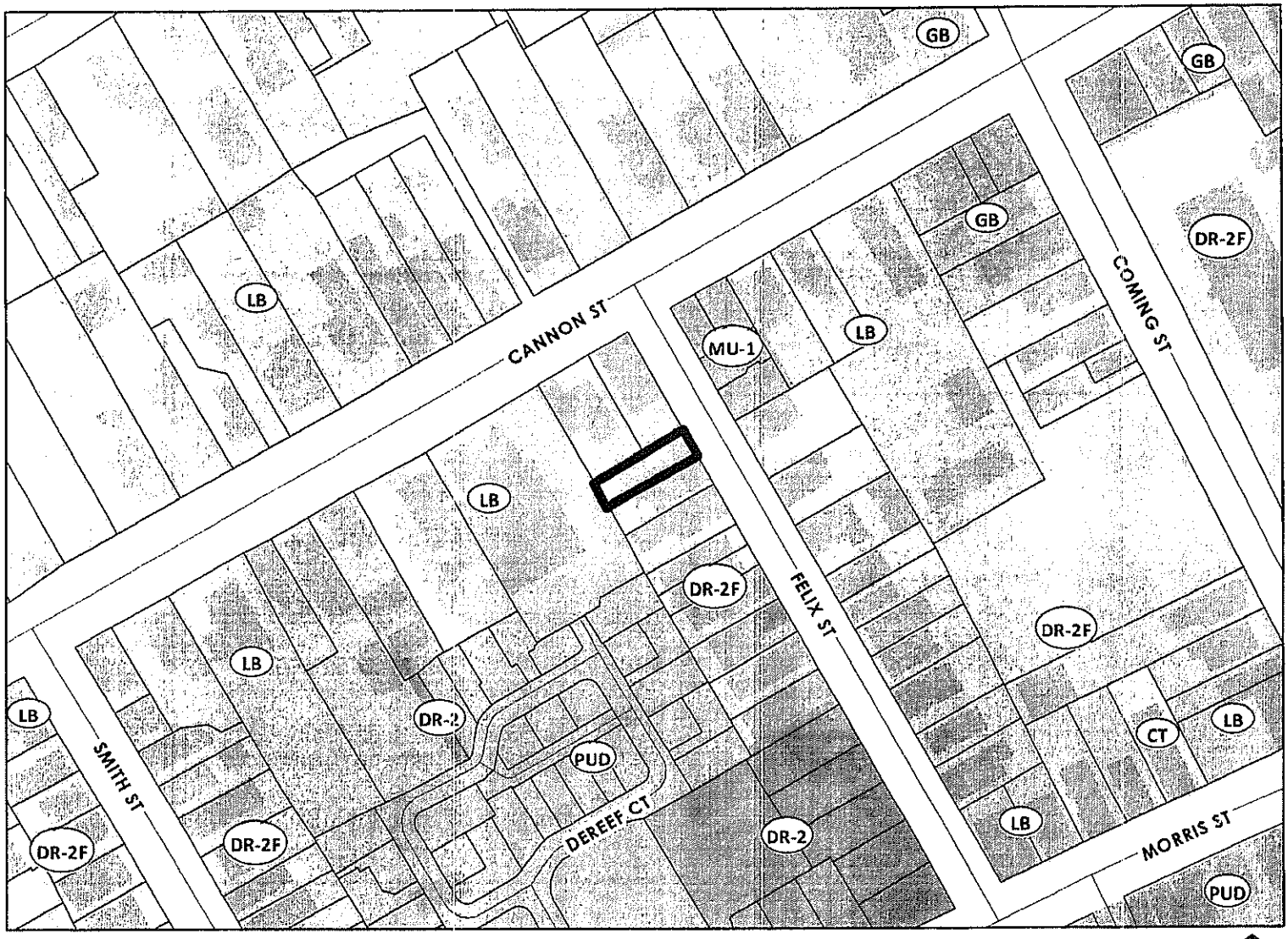
Request rezoning from Diverse-Residential (DR-2F) to Commercial Transitional (CT).

Owners and Applicants: Laura Paris Paton and Christopher Paton

Area



Location



Department of Planning, Preservation & Sustainability
www.charleston-sc.gov 2 George St, Charleston, SC 29401 843.724.3765

E3.)

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 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 DISTRICTS CLASSIFICATION TO 4-12 OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTY IS OWNED BY THE BCDCOG.

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 8 and 2.5 Old City Height Districts classification to 4-12 Old City Height District classification.

Section 2. The property to be rezoned is described as follows:

A portion of 1320 King Street Extension (Peninsula) (approximately 0.94 acre) (a portion of TMS# 464-14-00-191)

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

City of Charleston

City Council
January 14, 2020

Rezoning

1320 King Street Ext (Peninsula)

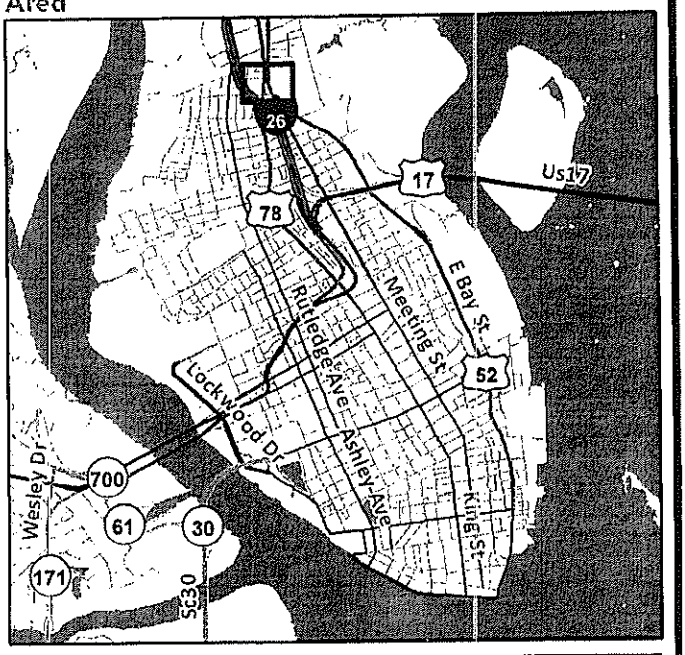
TMS # 4641400191 (a portion)

approx. 0.94 ac.

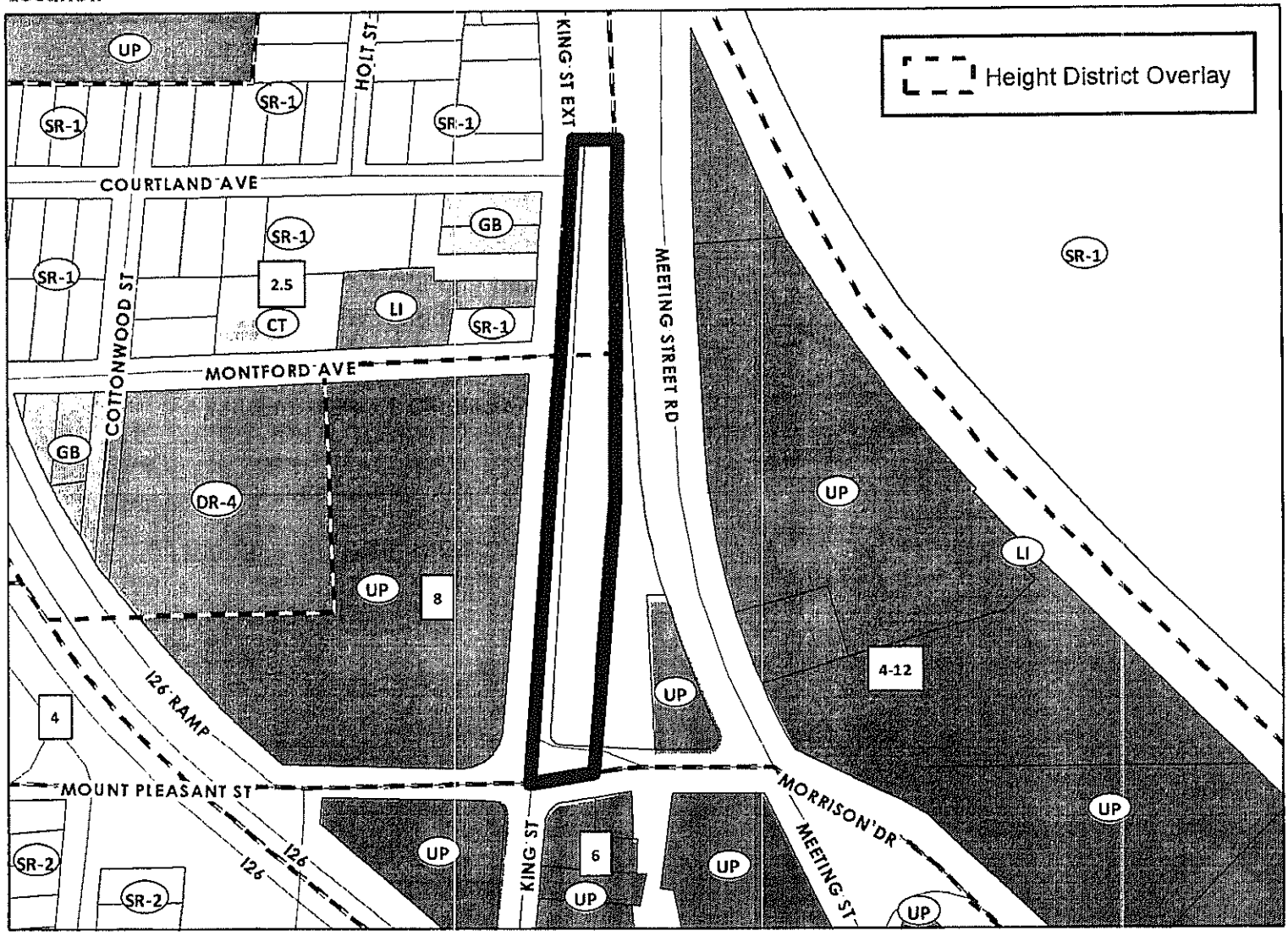
Request rezoning of a portion of previous rail right-of-way from 8 and 2.5 Old City Height Districts to 4-12 Old City Height Disrict

Owner: BCDCOG
Applicant: City of Charleston

Area



Location



Department of Planning, Preservation & Sustainability
www.charleston-sc.gov 2 George St, Charleston, SC 29401 843.724.3765

N

E4.)

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 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.

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:

1320 King Street Extension (Peninsula) (approximately 1.50 acres) (TMS #464-14-00-191)

Section 2. That the said parcel of land described above shall be zoned Upper Peninsula District (UP) 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

City of Charleston

City Council
January 14, 2020

Zoning

1320 King Street Ext (Peninsula)

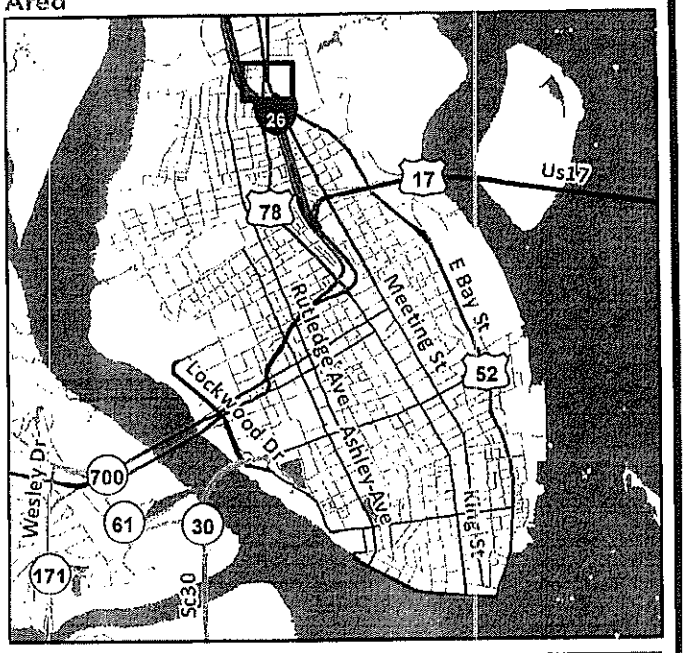
TMS # 4641400191

approx. 1.50 ac.

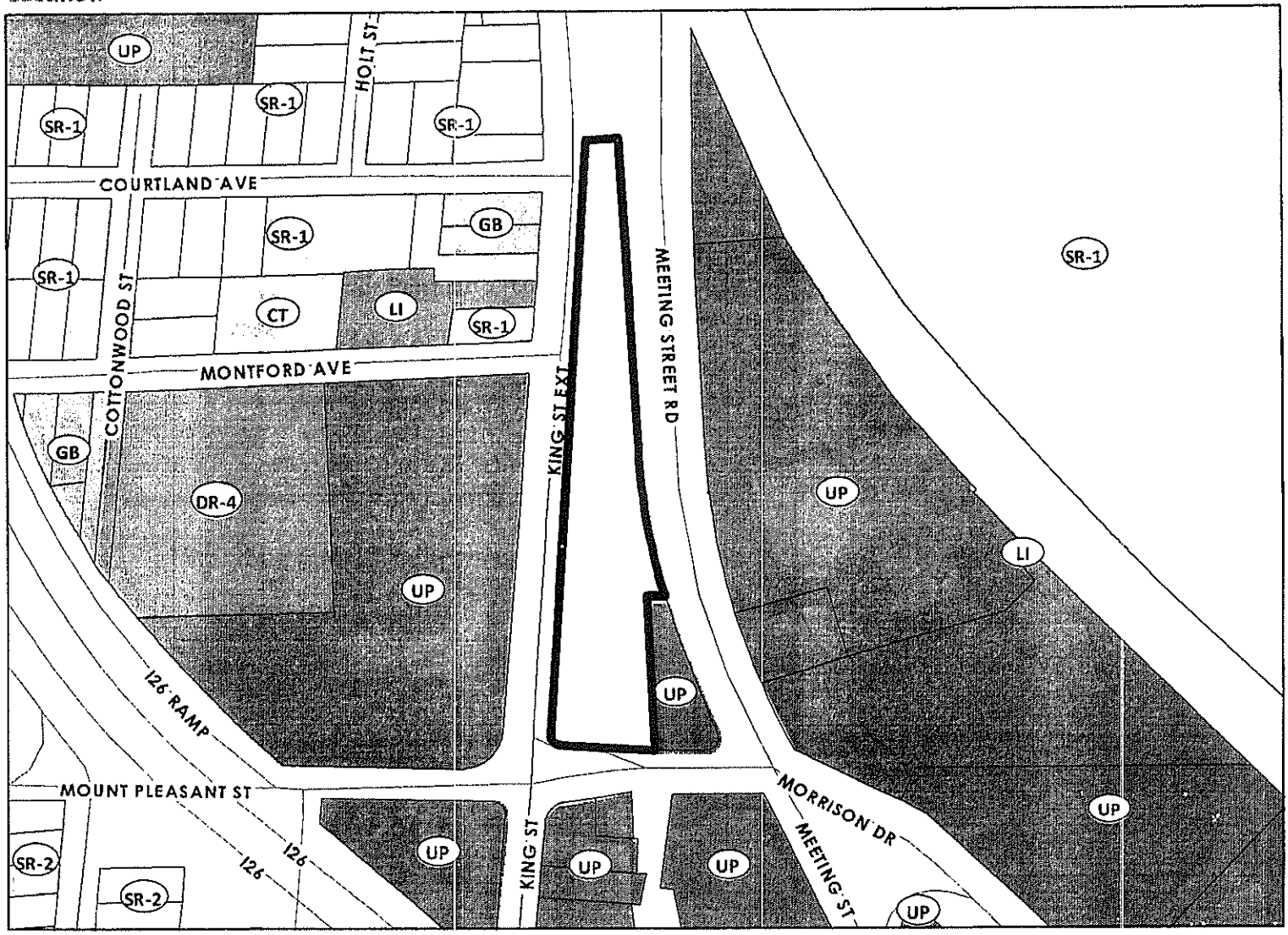
Request zoning of previously unzoned rail right-of-way to Upper Pennsula (UP) District

Owner: BCDCOG
Applicant: City of Charleston

Area



Location



Department of Planning, Preservation & Sustainability
www.charleston-sc.gov 2 George St, Charleston, SC 29401 843.724.3765

N

E5.)

Ratification
Number_____

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 DESIGN REVIEW BOARD 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; AND TO AMEND SEC. 54-120 OF THE ZONING ORDINANCE TO ADD DEFINITIONS FOR THE TERMS "BIKEWAY" AND "MULTI-USE PATH." **(AS AMENDED)**

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

Section 1. The following terms and definitions are hereby added to Sec. 54-120 of the Code of the City of Charleston ("Zoning Ordinance"), to be included in alphabetical order with the other definitions listed therein:

"Bikeway" is a generic term for any road, street, path, or traveled way that is in some manner specifically or legally designated for bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

"Multi-Use Path" means a bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Multi-use paths may also be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users.

Section 2. Sec. 54-299.4.b of the Zoning Ordinance is hereby amended to read as follows (new text in **bold and double underlined** and deleted text with ~~strikethrough~~):

b. Generally.

1. **Development regulations for all areas of the FR overlay zone.** The following development regulations apply to all parcels within **the** FR overlay zone in addition to the requirements described below for each of the five sub-areas. All ~~non-single-family detached~~ development applications**, except for development applications for one-family detached**

dwellings, shall, at the time application is made, provide proof that the following requirements will be met prior to the issuance of any approvals:

(a) Vehicle access.

(1) All parcels in this overlay zoning district with a base zoning of RO (Residential Office) shall be allowed one curb cut per 150 feet of road frontage; all other parcels with a commercial base zoning shall be allowed one curb cut every 250 feet.

(2) Proposed new access drives shall be a minimum distance of 75 feet from a street intersection measured from the edge of the intersecting roadway to the beginning of the driveway radius. These minimum spacing requirements shall be increased if a right-turn deceleration lane is required and shall equal the length of the turn lane and taper plus an additional distance of 50 feet.

(3) All applications for development of non-residential uses shall include a suitable access management plan demonstrating that the driveway separation requirements can be met. The following techniques may be employed to achieve this result, but the burden of accomplishing the desired effect remains with the developer of the property:

a. Aggregation of parcel;

b. Parallel frontage or "backage" roads;

c. Shared curb cuts between adjoining properties; and

d. Shared access easements between parcels.

(b) Pedestrian access. Paved pedestrian ways shall be included in site design and shall provide a continuous link to adjacent parcels, as well as within the development area. Grade-separated pedestrian walkways must provide a direct connection from the street to the main entrance, and to abutting properties. Pedestrian walkways must be designed and located in a manner that does not require pedestrians to walk through parking lots or cross driveways and sidewalks may be allowed in right-of-way-buffers.

(c) Building height. The height of buildings shall not exceed a maximum of two and one-half (2.5) stories or thirty-five (35) feet, whichever is less, measured from the highest curb elevation of Folly Road adjacent to the site, except that architectural features such as parapets, cupolas, roof structures, and other similar features shall be allowed to exceed the 35-foot height limitation but not exceed a total building height of 40 feet.

(d) Residential density. Parcels with a base zoning of CT, LB, GB and LI within the Folly Road Overlay shall be limited to a maximum of eight dwelling units per acre of high ground. A maximum of 12 dwelling units per acre of high ground shall be permitted if workforce housing requirements contained in Article 2, Part 15, of this Chapter are met. All parcels developed with residential uses greater than 10,000 square feet shall include commercial uses so that the square

footage of conditioned, commercial floor space equals a minimum of 10 percent of the total square footage of conditioned floor space on the parcel. Residential developments that provide workforce housing shall be exempt from the 10 percent commercial use requirement.

(e) Uses. Permitted uses and prohibited uses are described in each of the five sub-areas below. Gun shops shall be permitted only on parcels in this overlay zoning district with a base zoning of General Business (GB).

(f) Coordination with adjacent jurisdictions. A letter of notification to the Town of James Island, Charleston County, and/or City of Folly Beach shall be required as part of all land development applications, dependent upon overlay zoning district area. The purpose of the notification is to ensure that each jurisdiction is aware of proposed development.

(g) Multi-Use Path. A multi-use path of at least twelve feet (12') in width shall be installed along the frontage of the parcel. The design of the multi-use path shall be reviewed and approved by the Design Review Board ("DRB"). The DRB shall seek to have the path implemented in an aesthetically pleasing manner with regards to landscaping, the proposed building, existing trees and other site features and context. The multi-use path may be fully in the right-of-way or on private property with an easement. The multi-use path shall be as safely designed as possible with good separation from moving traffic on Folly Road. If the applicant establishes that the required minimum width of the multi-use path is not feasible based on site conditions, the DRB may: (1) permit a reduction in the required minimum buffer plantings along the road right-of-way to accommodate the minimum required width of the path; and/or (2) permit a reduction in the required width of the multi-use path.

Section 3. 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

E6.)

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 114 TALL OAK AVENUE (WEST ASHLEY) (0.24 ACRE) (TMS #418-13-00-092) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 14, 2020 (#2020-010), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION. THE PROPERTY IS OWNED BY MYRTLE GRAVES RAHN MIXSON.

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:

114 Tall Oak Avenue (West Ashley) (0.24 acre) (TMS #418-13-00-092)

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

City of Charleston

Planning Commission
January 15, 2020

ZONING 1

114 Tall Oak Ave (West Ashley)

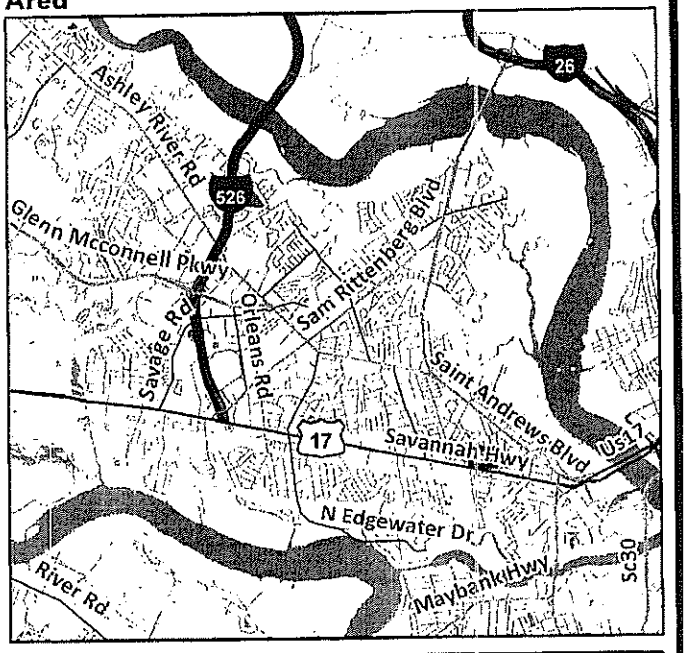
TMS # 4181300092

approx. 0.24 ac.

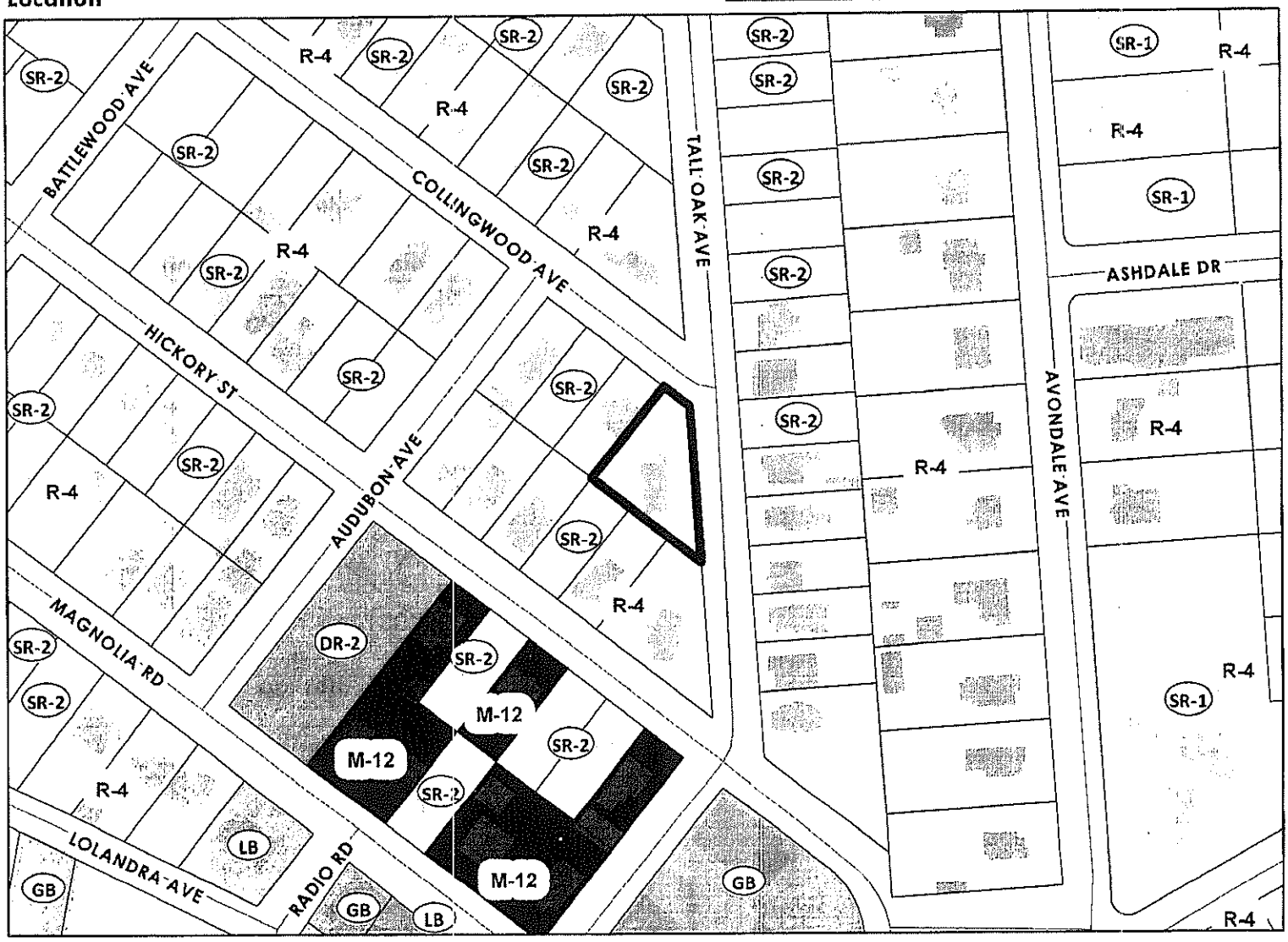
Request zoning of Single-Family Residential (SR-2). Zoned Single-Family Residential (R-4) in Charleston County.

Owner: Myrtle Graves Rahn Mixson

Area



Location



Department of Planning, Preservation & Sustainability
www.charleston-sc.gov 2 George St, Charleston, SC 29401 843.724.3765

E7.)

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 PREVIOUSLY UNZONED RIGHT-OF-WAY LOCATED AT THE NORTH END OF BENDER STREET (WEST ASHLEY) (APPROXIMATELY 0.13 ACRE) (TMS # TO BE ASSIGNED) (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

City of Charleston

City Council
January 28, 2020

Zoning

A portion of Bender St (West Ashley)

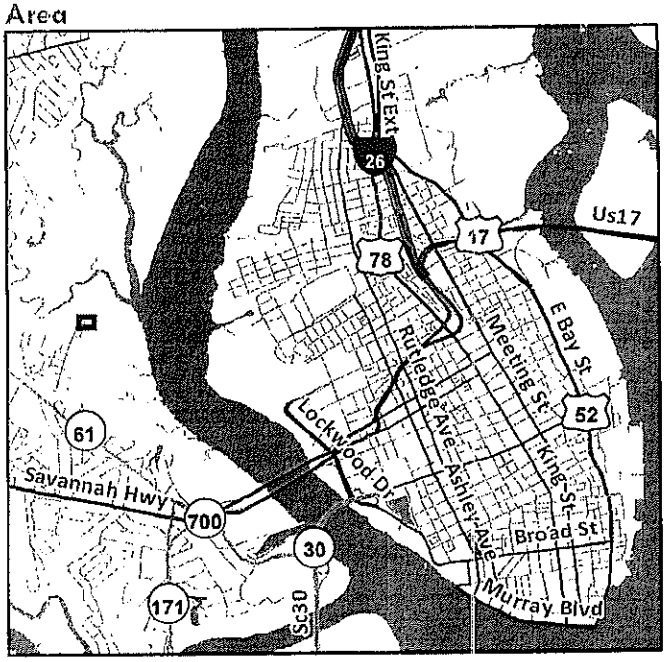
Unzoned Right-of-Way

approx. 0.13 ac.

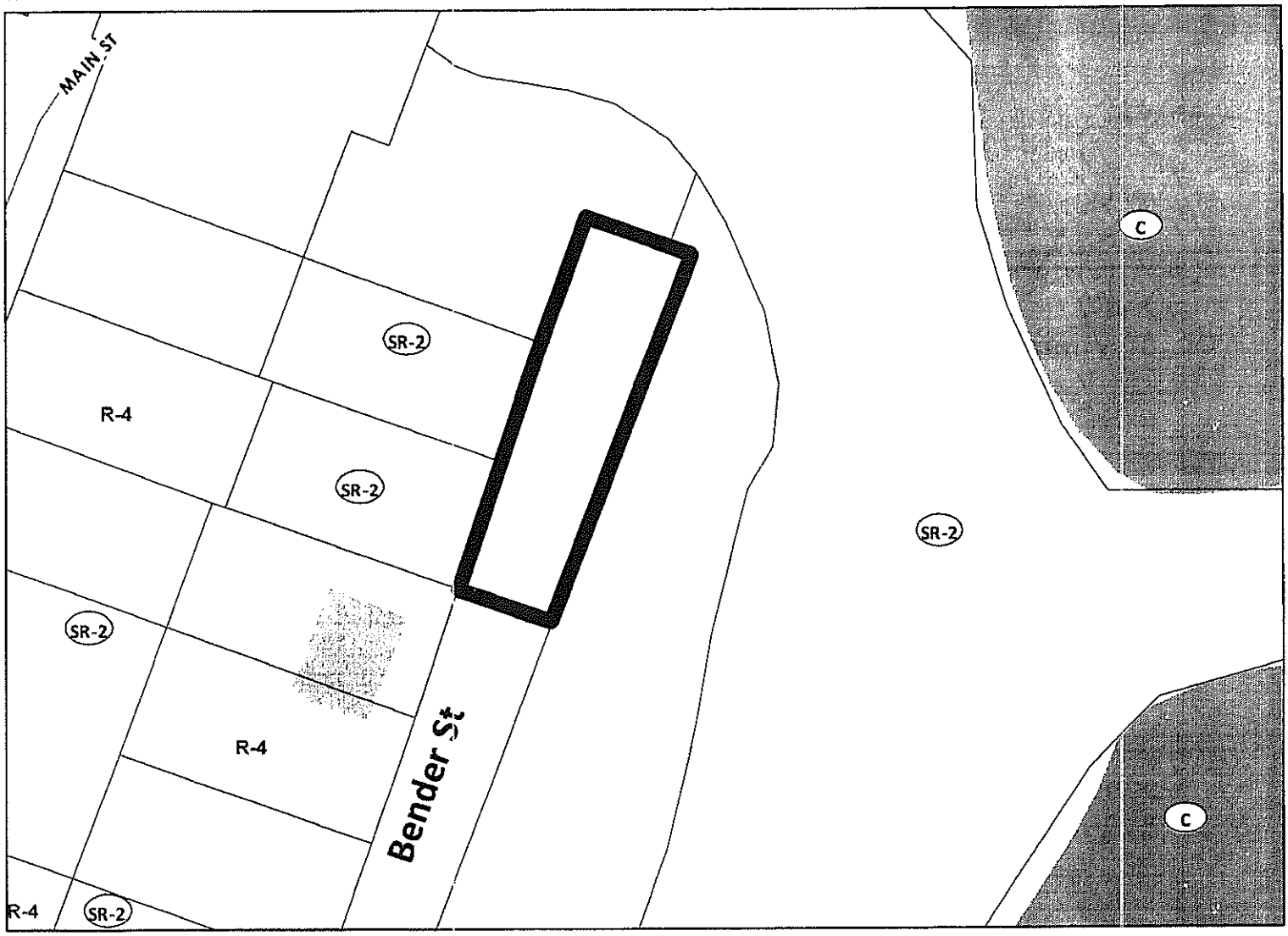
Request zoning of previously unzoned right-of-way to Single-Family Residential (SR-2)

Owner: City of Charleston
Applicant: City of Charleston

Area



Location



Department of Planning, Preservation & Sustainability
www.charleston-sc.gov 2 George St, Charleston, SC 29401 843.724.3765

N

I (i),

A RESOLUTION

OPPOSING FURTHER 5G RESTRICTIONS AND LEGISLATION ON LOCAL GOVERNMENTS

Whereas, the placement of 5G facilities including antennas and other related devices is an issue of the utmost importance as the wireless industry moves towards its anticipated roll out of this service; and

Whereas, it is anticipated that at least 250,000 new tower locations will be needed for the implementation of 5G services throughout the United States; and

Whereas, wireless and related industries wish to utilize the rights of way ("ROW") owned, controlled managed or maintained by cities, towns, counties and other local governmental entities (collectively "Local Governmental Entities") as the location for the placement of 5g facilities including antennas; and

Whereas, historically, local control regarding the placement of infrastructure in ROW as well as the fees, rates and costs associated with such use or franchises have always been reserved to Local Governmental Entities subject restrictions on the Local Governmental Entity not providing a preference or improper advantage to one applicant or applicants over others; and

Whereas, the Federal Communications Commission ('FCC") issued a ruling entitled *In the Matter of Accelerating Wireless Broadband Deployment By Removing Barriers to Infrastructure Inv.*, 33 FCC Rcd. 9088, 2018 WL 4678555 (2018) (the "Declaratory Ruling") which had an effective date of January 14, 2019; and

Whereas, the Declaratory Ruling, which remain on appeal in the United States Court of Appeals for the Ninth Judicial Circuit, usurped from Local Governmental Entities essentially all powers regarding the use and control of ROW so as to dictate the fees, rates and charges allowed for the use of ROW not owned by the federal government, limited reasonable limitations on placement restrictions, adopted unreasonable time constraints on review of applications for wireless infrastructure and compliance with other applicable laws of Local Governmental Entities; and

Whereas, the mandates issued in the Declaratory Ruling placed an undue burden financially and time wise on Local Governmental Entities; and

Whereas, the Senate of the General Assembly of the State of South Carolina has before them a bill H4262 which places even further restrictions on Local Governmental Entities and which advance the financial interest of the wireless industry at the expense of the citizens of the City of Charleston as well as all residents of the state of South Carolina; and

Whereas, the City Council of the City of Charleston strongly opposes H 4262 as well as any other legislation which supports the Declaratory Ruling or which seeks to mandate even stricter restrictions on Local Governmental Entities as they attempt to address the legitimate, conflicting and complicated issues with many unknown factors related to the deployment of 5G; and

Whereas, the City Council of the City of Charleston further strongly opposes any effort by H4262 or any other the legislation to strip local governments of their authority under existing ordinances, regulations or guidelines with regard to poles, support structures, replacement poles, and small wireless facilities installed in the local governments' jurisdiction.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON SOUTH CAROLINA:

Section 1- The City Council of the City of Charleston urges all members of the General Assembly to oppose H 4262 as well as any other legislation which supports the FCC's Declaratory Ruling or which seeks to mandate any restrictions on Local Governmental Entities as they attempt to address and properly resolve these complicated issues with conflicting laws, many unknown factors and that the members of the General Assembly further record their opposition to these unfunded mandates of the FCC and respect, in full, the powers of home rule granted to Local Governmental Entities.

Section 2-This Resolution shall become effective immediately upon its adoption.

RESOLVED this _____ day of February 2020 in City Council Chambers.

_____
John J. Tecklenburg
Mayor

ATTEST:

_____
Vanessa Turner Maybank
Clerk of Council

I (ii).

RESOLUTION

URGING SOUTH CAROLINA'S U. S. SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES TO REQUEST THE FEDERAL COMMUNICATIONS COMMISSION TO WORK IN COOPERATION WITH OTHER RELEVANT FEDERAL AGENCIES TO REVISIT AND UPDATE STUDIES ON POTENTIAL HEALTH EFFECTS ARISING FROM RF WIRELESS EMISSIONS ASSOCIATED WITH 5G TECHNOLOGY.

WHEREAS, the Federal Communications Commission ("FCC") is required by the National Environmental Policy Act of 1969 to evaluate the environmental effects from certain FCC-regulated transmitters on the quality of the human environment; and

WHEREAS, The FCC relies upon federal agencies with health and safety expertise, such as the Food and Drug Administration (FDA), the Environmental Protection Agency, the National Institute for Occupational Safety and Health, and the Occupational Safety and Health Administration which have assigned roles in federal law for monitoring and investigating issues related to RF exposure; and

WHEREAS, the FCC has jurisdiction over non-federal wireless facilities, authorizing and licensing all non-federal devices, transmitters and facilities that generate RF radiation; and

WHEREAS, federal law preempts state and local governments, including the City of Charleston from considering environmental effects, including health risks, of RF emissions in the regulation and placement of wireless facilities, so long as such facilities comply with applicable federal law; and

WHEREAS, citizens of the City of Charleston have raised concerns about the health risks of RF emissions and as a result, the City requests our federal officials to urge the relevant federal agencies to review the current research on the health impacts of RF emissions and update the guidelines as needed.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON SOUTH CAROLINA:

The City Council of the City of Charleston urges South Carolina's U.S. Senators and Members of Congress to request the FCC to work in cooperation with the FDA and other relevant federal agencies to revisit and update studies on potential health effects arising from RF wireless emissions considering 5G Technology.

RESOLVED this _____ day of February 2020 in City Council Chambers.

_____
John J. Tecklenburg
Mayor

ATTEST:

_____
Vanessa Turner Maybank
Clerk of Council

K1(a)

RESOLUTION

TO CERTIFY PURSUANT TO SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT THREE (3) BUILDING SITES LOCATED AT 286-288 KING STREET, CHARLESTON COUNTY, TMS #457-04-04-042.

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act of 2013 (the "Act") was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

(1) "Abandoned Building" means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five years immediately preceding the date on which the taxpayer files a "Notice of Intent to Rehabilitate". For purposes of this item, a building or structure that otherwise qualified as an "abandoned building" may be subdivided into separate units or parcels, which units or parcels may be owned by the same taxpayer or different taxpayers, and each unit or parcel is deemed to be an abandoned building site for purposes of determining whether each subdivided parcel is considered to be abandoned.

(2) "Building Site" means the abandoned building together with the parcel of land upon which it is located and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building's income producing use; and

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local real property taxes; and

WHEREAS, Section 12-67-140(E) of the Act provides (in pertinent part):

> (E) For building sites which have had no portion thereof placed into service before July 1, 2018, and upon which is located a redeveloped multi-floor structure that is listed on the National Register of Historic Places, the taxpayer may subdivide the structure into separate units in the manner as provided for in this chapter, except that up to seven separate floors may be considered seven separate subdivided units if a floor is redeveloped for the exclusive use as a residential apartment or apartments; and

WHEREAS, Section 12-67-140(E) of the Act further provides that a taxpayer utilizing the provisions of subsection E must notify the department in writing of his or her intent to claim tax credits under the Act; and

WHEREAS, Blas-Milani Real Estate Holdings, LLC (the "Taxpayer") is the owner and developer of certain real property located at 286-288 King Street (the "Property"), as referenced in that certain deed dated April 6, 2017 and recorded April 7, 2017 in the Charleston County Register of Mesne Conveyances Office in Book 0628 at Page 983, which property is further identified on the Charleston County Tax Maps as TMS No. 457-04-04-042; and

WHEREAS, the Taxpayer has submitted to the South Carolina Department of Revenue, with a copy to the City, a notification in writing, pursuant to Section 12-67-140(E), of the Taxpayer's intent to claim tax credits against certain income taxes, license fees or premium taxes as provided in Section 12-67-140(A)(1) rather than a credit against property taxes as provided in Section 12-67-140(A)(2); and

WHEREAS, no portion of the Property was placed in service before July 1, 2018; and

WHEREAS, the Property is a multi-floor structure that is listed on the National Register of Historic Places; and

WHEREAS, the Taxpayer has subdivided the structure into three separate units as follows:

Unit #1: First floor
Unit #2: Second floor
Unit #3: Third floor; and

WHEREAS, Unit #1 is being redeveloped as commercial / retail space, and Unit #2 and Unit #3 are each being redeveloped for exclusive use as a residential apartment or apartments (as to each of the three such units, a "Building Site"); and

WHEREAS, the Property is located within the city limits of Charleston, South Carolina; and

WHEREAS, the Taxpayer has requested that the City certify that the Building Sites are abandoned as defined by Sections 12-67-120(1) and (2).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. The Taxpayer has submitted to the City a request to certify each of the Building Sites pursuant to Section 12-67-160 of the Act (the "Request to Certify").

Section 2. The City has reviewed the Request to Certify, conferred with the Taxpayer and conducted a review of its records and the Property.

Section 3. The City hereby certifies that (i) each of the three Building Sites constitutes a separate abandoned building site as defined in Section 12-67-120(1) of the Act, and (ii) the geographic area of each of the Building Sites is consistent with Section 12-67-120(2) of the Act.

RESOLVED this _____ day of February 2020 in City Council Chambers.

_____
John J. Tecklenburg
Mayor

ATTEST:

_____
Vanessa Turner Maybank
Clerk of Council

K4(a)(vii

BP0837084

PGS: 4

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF CHARLESTON)

KNOW ALL MEN BY THESE PRESENTS, that Bon Secours St. Francis Xavier Hospital, Inc. ("Grantor") in the state aforesaid, for and in consideration of the sum of ONE AND 00/100 DOLLAR ($1.00), being the true consideration to it in hand paid at and before the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and assigns, forever, the following described property which is granted, bargained, sold and released for the use of the public forever:

All of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, identified as Henry Tecklenburg Drive, as shown and designated on a plat entitled "Plat Showing the New R/W for Henry Tecklenburg Drive as Defined by A-B-E-F-G-H-I-C-D-A, Being the Same Property Shown as New Ingress/Egress Easement on Plat by Forsberg Engineering and Surveying and Recorded in the Charleston County ROD Office in Plat Book L16, Page 0211, Henry Tecklenburg Drive, City of Charleston, Charleston County, South Carolina," prepared by Forsberg Engineering and Surveying, Inc., dated January 10, 2019, and recorded on 11-04-, 2019 in Plat Book L19 at Page 0470 in the Register of Deeds Office for Charleston County. Said property butting and bounding, measuring and containing, and having such courses and distances as are shown on said plat. Reference being had to the aforesaid plat for a full and complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of John A. Hamrick, C.T. Hamrick, Jr., David Franklin Haygood, Marjorie H. Borom and Fitzhugh N. Hamrick, dated February 12, 1992, and recorded on February 12, 1992 in Book N210, at Page 742, in the RMC Office (now the Register of Deeds Office) for Charleston County, South Carolina, and a portion of the property conveyed to Grantor herein by deed of Clarence T. Hamrick, Jr., Doris H. Hamrick, Ellen H. Fuller, Nancy H. Ravenel, Clarence T. Hamrick, III, Margaret H. Cochet, Elizabeth H. Coleman, and John Frederick Hamrick, dated February 12, 1992, and recorded on February 12, 1992 in Book N210, at Page 754, in the RMC Office (now the Register of Deeds Office) for Charleston County, South Carolina.

Grantee's Mailing Address:

City of Charleston
Department of Public Service
Engineering Division
2 George Street
Suite 2100
Charleston, South Carolina 29401

Portion of TMS Nos.:

351-01-00-022
309-00-00-028

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 14th day of October, 2019.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Shannon Cartwell
Witness Number One

Shannon Cartwell
Printed Name

Felecia B Hodges
Witness Number Two

Felecia B. Hodges
Printed Name

Grantor

W. Anthony Jackson
Printed Name
Title: VP + CEO Acute Care Services
Bon Secours St. Francis Xavier Hospital, Inc.

STATE OF SOUTH CAROLINA)
) ACKNOWLEDGEMENT
COUNTY OF CHARLESTON)

This foregoing instrument was acknowledged before me (the undersigned notary) by W. Anthony Jackson, the VP+CEO Acute Care Services of Bon Secours St. Francis Xavier Hospital, Inc, a Non profit Corporation, on behalf of the Grantor on the 14th day of October, 2019.

Signature of Notary: Felecia B Hodges
Print Name of Notary: Felecia B. Hodges
Notary Public for South Carolina
My Commission Expires: 9-9-24

SEAL OF NOTARY

STATE OF SOUTH CAROLINA }
COUNTY OF CHARLESTON } AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property was transferred by Bon Secours St. Francis Xavier Hospital, Inc.
to the City of Charleston on October 14, 2019.

3. Check one of the following: The deed is
(A) [ ] subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
(B) [ ] subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity , or is a transfer to a trust or as distribution to a trust beneficiary.
(C) [✓] exempt from the deed recording fee because (See Information section of affidavit): (2) transfer of realty to political subdivision (Explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes [ ] or No [ ]

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):

(A) [ ] The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____.
(B) [ ] The fee is computed on the fair market value of the realty which is _____.
(C) [ ] The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check YES [ ] or NO [ ] to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.

6. The deed recording fee is computed as follows:
(A) Place the amount listed in item 4 above here: _____
(B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
(C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is:
_____.

8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as: attorney for the City of Charleston.

9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Responsible Person Connected with the Transaction

Daniel S. McQueeney, Jr.
Print or Type Name Here
as Assistant Corporation Counsel for the City of Charleston

Sworn this 5th day of November 2019
Notary Public for South Carolina
My Commission Expires: 2/7, 2026
Print Name: Jane F. Braden

RECORDER'S PAGE

NOTE: This page MUST remain with the original document

Filed By:

CITY OF CHARLESTON
LEGAL DEPARTMENT
RACHEL BARKER
(BOX)

RECORDED

Date:	November 5, 2019
Time:	3:05:53 PM

Book	Page	DocType
0837	084	Q/Claim

Michael Miller, Register
Charleston County, SC

MAKER:
BON SECOURS ST ETC

RECIPIENT:
CITY OF CHARLESTON

Note:

# of Pages: 4

Recording Fee	$ 15.00
State Fee	<EXEMPT>
County Fee	<EXEMPT>
Extra Pages	$ -
Postage	$ -
Chattel	$ -
TOTAL	$ 15.00

DRAWER	Drawer 2
CLERK	JBA

Original Book:

Original Page:

AUDITOR STAMP HERE

RECEIVED From ROD
Nov 15, 2019
Peter J. Tecklenburg
Charleston County Auditor

PID VERIFIED BY ASSESSOR
REP RJB
DATE 11/18/2019
TO MAPPING

0837
Book

084
Page

11/05/2019
Recorded Date

4
Pgs

Original Book

Original Page

D
Doc Type

15:05:53
Recorded Time

NOTES AND REFERENCES:

1) THE PROPERTY IS OWNED BY BON SECOURS ST. FRANCIS XAVIER HOSPITAL. THE SURVEY IS DONE AT THE REQUEST OF THE CITY OF CHARLESTON.

2) ACCORDING TO FLOOD INSURANCE RATE MAP 45019C0491 J DATED 11/17/04 THIS PROPERTY APPEARS TO LIE IN A FLOOD ZONE AE(11) AND A FLOOD ZONE X.

3) THE TOTAL AREA SURVEYED FOR THIS PLAT IS 1.068 ACRES.

4) TMS 309-00-00-028
RESIDUAL ACREAGE – 11.460 ACRES
AREA FOR NEW R/W (AS DEFINED BY A-B-C-D-A) 0.430 ACRES
NEW RESIDUAL ACREAGE – 11.030 ACRES

TMS 309-00-00-022
RESIDUAL ACREAGE – 8.087 ACRES
AREA FOR NEW R/W (AS DEFINED BY B-E-F-G-H-I-C-B) 0.638 ACRES
NEW RESIDUAL ACREAGE – 7.451 ACRES

5) REFERENCE A PLAT BY LEWIS SMITH MOORE DATED MARCH 4, 2016 AND RECORDED IN THE CHARLESTON COUNTY ROD OFFICE IN PLAT BOOK L16 PAGE 0211.

6) THIS PLAT IS NOT INTENDED TO SHOW THE EXISTENCE OR NON EXISTENCE OF US ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS.

7) THIS PLAT DOES NOT REPRESENT A TITLE SEARCH. THERE MAY BE EASEMENTS THAT EXIST THAT ARE NOT SHOWN ON THIS SURVEY.

LEGEND
RS – 5/8"REBAR SET
RF – 5/8"REBAR FOUND
CMF – CONCRETE MONUMENT FOUND
⊡ – CURB INLET
PKS – PK NAIL SET
– FIRE HYDRANT
O – LIGHT POLE

– ASPHALT ROAD

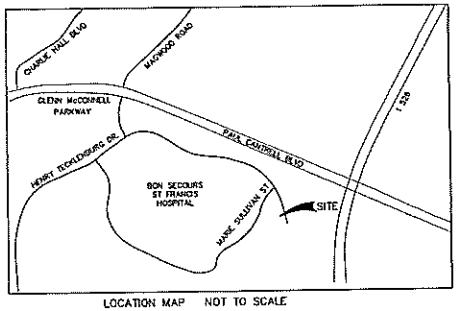
– CONCRETE

LINE	LENGTH	BEARING
L1	25.83	S61°36'26"W
L2	41.00	S61°50'24"W
L3	73.34	S28°09'35"E

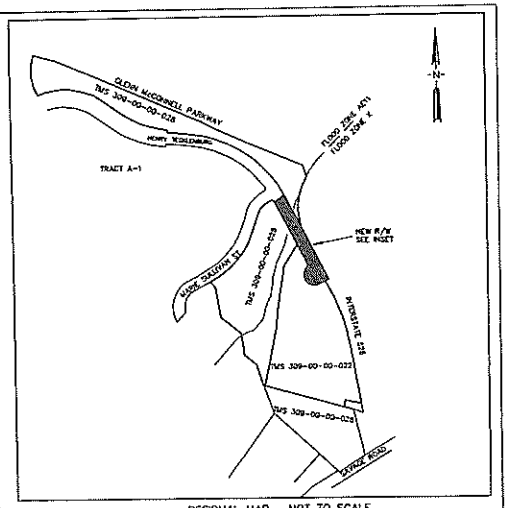
CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD BRG	CHORD
C1	25.59	30.00	14.86	N07°48'31"E	23.88
C2	190.07	67.00	436.03	N35°49'25"W	132.45

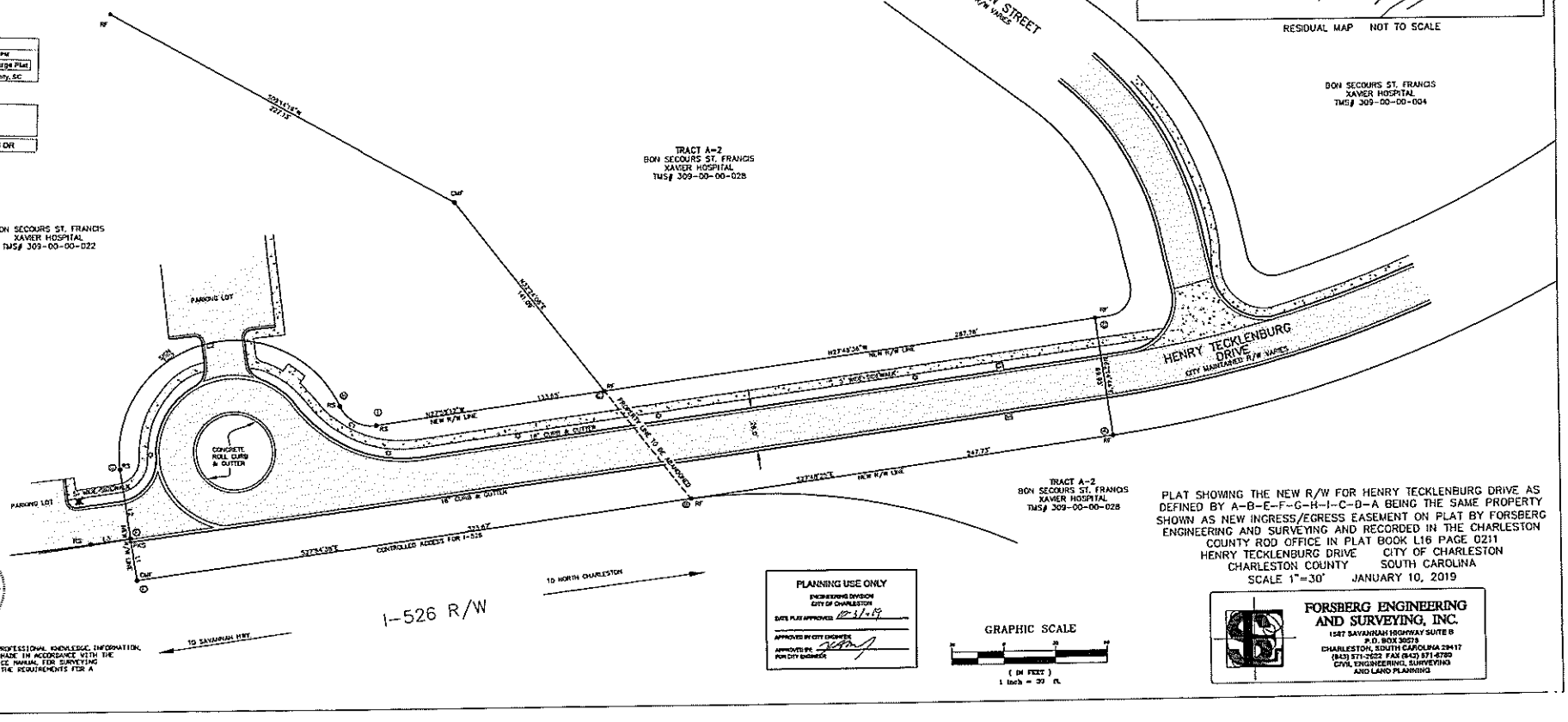
RECORDED
DATE: 11-20-2019 TIME: 3:47:24 PM
Book-Page: L19 0476 Doc Type: Large Plat
Michael Miller, Register, Charleston County, SC
Recording Fee: $25.00 Doc By: CITY OF CHARLESTON
Postage: $0.00
TOTAL: $25.00
Organizer:
Cash:
Location: HENRY TECKLENBURG DR



LOCATION MAP NOT TO SCALE



RESIDUAL MAP NOT TO SCALE



PLAT SHOWING THE NEW R/W FOR HENRY TECKLENBURG DRIVE AS DEFINED BY A-B-E-F-G-H-I-C-D-A BEING THE SAME PROPERTY SHOWN AS NEW INGRESS/EGRESS EASEMENT ON PLAT BY FORSBERG ENGINEERING AND SURVEYING AND RECORDED IN THE CHARLESTON COUNTY ROD OFFICE IN PLAT BOOK L16 PAGE 0211
HENRY TECKLENBURG DRIVE CITY OF CHARLESTON
CHARLESTON COUNTY SOUTH CAROLINA
SCALE 1"=30' JANUARY 10, 2019

PLANNING USE ONLY
ENGINEERING DIVISION
CITY OF CHARLESTON
DATE PLAT APPROVED: 12/1/19
APPROVED BY CITY ENGINEER:
APPROVED BY: FOR CITY ENGINEER

GRAPHIC SCALE
30 0 30 60
(IN FEET)
1 inch = 30 ft.

FORSBERG ENGINEERING AND SURVEYING, INC.
1587 SAVANNAH HIGHWAY SUITE B
P.O. BOX 30078
CHARLESTON, SOUTH CAROLINA 29417
(843) 571-2522 FAX (843) 571-6780
CIVIL ENGINEERING, SURVEYING AND LAND PLANNING

SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION
FORSBERG ENGINEERING & SURVEYING, INC. Reg. C03343

SOUTH CAROLINA REGISTERED LAND SURVEYOR 21821 LEWIS SMITH MOORE

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

LEWIS SMITH MOORE, P.L.S. No. 21821

K5(a)

STRIKE ALL AFTER THE ENACTING WORDS AND INSERT:

SECTION 1. This act may be cited as the 'South Carolina Business License Tax Standardization Act'.

SECTION 2. Chapter 7, Title 5 of the 1976 Code is amended by adding:

"Section 5-7-320. (A) Notwithstanding Section 5-7-30 or any other provision of law, any business license tax levied by a taxing jurisdiction must comply with the provisions of this section. For purpose of this section, "taxing jurisdiction" means a county or municipality levying a business license tax.

(B)(1) Each business license issued must expire April thirtieth, or if issued on a construction contract, at the completion of the construction project. The business license must be renewed before May first of the year in which it expires. If the tax is not paid before May first, a taxing jurisdiction may impose penalties, except that an admitted insurance company may pay before June first without penalty.

(2) The business license tax must be computed based on the gross income for the calendar year preceding the due date, the business' twelve month fiscal year preceding the due date, or on a twelve month projected income based on the monthly average for a business in operation for less than one year. The tax for a new business must be computed on the estimated probable gross income stated in the license application for the balance of the license year. A business license related to construction contract projects may be issued on a per project basis, at the option of the taxpayer. A general contractor may choose to be issued a business license on the total value of his project's contract and that of his subcontractors or allow a taxing jurisdiction to withhold the certificate of occupancy on the project until each of his subcontractors obtain a business license for the project. If the general contractor is issued a business license on the total value of his project's contract and that of his subcontractors, he may request a refund in accordance with Section 5-7-320 (D) for the amounts of the business license tax paid by his subcontractors on the project.Wholesalers are exempt from municipal license taxes unless they maintain warehouses or distribution establishments within the municipality. A wholesale transaction involves a sale to someone who will resell the property and includes delivery to the reseller. It does not include a sale to a user or consumer.

(3) For purposes of this subsection, 'gross income' means the gross receipts or gross revenue of a business, received or accrued, for one calendar or fiscal year collected or to be collected from business done within the taxing jurisdiction in which it is domiciled. If the person or business does business within a municipality or county where it is not domiciled, it shall pay the business license tax on the gross income earned within that municipality or county. If the person or business taxed pays a business license tax to a county or to another municipality where the income is earned, the gross income for the purpose of computing the tax must be reduced by the amount of gross income taxed in the other county or municipality. Gross income for agents means gross commissions received or retained, unless otherwise specified. If commissions are divided with other brokers or agents, only the amount retained by the broker or agent is considered gross income. Gross income for insurance companies means gross premiums written. Adjusted gross income for manufacturers of goods or materials with a location in a taxing jurisdiction is the lesser

of gross income collected from business done at the location, the amount of income allocated and apportioned to that location by the business for purposes of the business' state income tax return, or the amount of expenses attributable to the location as a cost center of the business. Manufacturers include those taxpayers reporting a 'manufacturing' principal business activity code on their respective federal income tax return. The adjusted gross income for business license purposes may be verified by a taxing jurisdiction's officials by its inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, or other governmental agency. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds which are the property of a third party. The value of bartered goods or trade in merchandise shall be included in gross income. The gross receipts or gross revenues for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Department of Insurance, or other government agencies.

(C) Each taxing jurisdiction must accept a standard business license application as established and provided by the Director of the Revenue and Fiscal Affairs Office.

(D) A taxpayer is entitled to a refund if it submits a business license tax payment that is greater than the amount owed. The refund must be requested by the taxpayer before June first. The taxing jurisdiction shall issue the refund to the taxpayer within thirty days of the taxpayer's request for the refund.

(E)(1) By December thirty first of every odd year, a taxing jurisdiction levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as ~~updated~~ recommended by the Municipal Association of SC and ~~certified~~ adopted by the Director of the Revenue and Fiscal Affairs Office. The Municipal Association of SC shall determine and revise the Standardized Business License Class Schedule every even year using the latest available nationwide Internal Revenue Service statistics for the calculation of profitability of businesses and using the latest business classification codes of the latest North American Industry Classification System.

(2) A taxing jurisdiction, upon a finding of a rational basis as explained in its ordinance and by a positive majority vote of council, may provide for additional reasonable subclassifications, described by NAICS sector, subsector, or industry, based upon particularized considerations as needed for economic stimulus or the enhanced or disproportionate demands by specific business subclassifications on taxing jurisdiction services or infrastructure.

(F)(1) Any special ordinance, formal agreement, or informal agreement entered into between a taxing jurisdiction and a taxpayer regarding rate classes, annual flat fee, or the calculation of business license taxes which was adopted by ordinance or agreed to prior to enactment of this subsection is considered valid upon the approval of the taxpayer. A taxpayer may prove the existence and terms of an agreement through direct or circumstantial evidence, including evidence of prior payment accepted.

(2) This section does not impair or affect any future special business license ordinance passed for economic stimulus, annual flat fee, or any future formal or informal agreement between a taxing jurisdiction and a taxpayer regarding the calculation of business license taxes.

(G)(1) A taxing jurisdiction must establish its 2021 Business License Tax Rate Schedule using the gross income reported by businesses for a twelve month period in the 2020 business license year so that the aggregate taxing jurisdiction business license tax calculated for

2021 does not exceed the aggregate taxing jurisdiction business license tax collected in 2020 from the same businesses.

(2) If the rate for a NAICS sector, subsector, or industry is unchanged from 2020 to 2021, then the business license tax collections may be excluded from the calculation set forth in item (1).

(H)(1) A taxing jurisdiction shall provide access to taxpayers for the reporting, calculation, and payment of business license taxes through the business license tax portal hosted and managed by the Revenue and Fiscal Affairs Office, subject to the availability and capability of the portal. Any limitations in portal availability or capability do not relieve taxpayers from existing business license or business license tax obligations. Any audit of income or assessment of tax reported through the business license tax portal must be undertaken by the taxing jurisdiction. Data obtained through the business license tax portal may not be used by parties other than the taxing jurisdictions for statewide analytics or any other purpose not specified in this section. Parties other than the taxing jurisdictions are prohibited from auditing a taxpayer using the business license tax portal. A taxing jurisdiction shall receive the entirety of the business license tax paid to it by a taxpayer through the business license tax portal. In addition to allowing a payment through the business license tax portal, a taxing jurisdiction shall allow a taxpayer to file and pay its business license tax in person at a location within the taxing jurisdiction, by telephone, or by mail.

(2) The Revenue and Fiscal Affairs Office is authorized to contract with software providers and payment processors for the purposes of implementing the provisions of this section. The Revenue and Fiscal Affairs Office may promulgate regulations to carry out the provisions of this section. The software provider may not retain any portion of the business license tax paid by the taxpayer to a taxing jurisdiction through the business license tax portal.

(3) The Revenue and Fiscal Affairs Office is authorized to expend any funds carried forward from previous fiscal years for the purpose of implementing the provisions of this section. Expenditures may not exceed the actual cost of implementing the provisions of this section.

(I)(1) If a taxpayer fails or refuses to pay the business license tax by May first, the taxing jurisdiction business license official shall serve notice of assessment of the business license tax due on the taxpayer by mail or personal service. Within thirty days after the date of postmark or personal service, a taxpayer may request, in writing with reasons stated, an adjustment of the assessment. An informal conference between the taxing jurisdiction business license official and the taxpayer must be held within fifteen days of the receipt of the request, at which the taxpayer may present any information or documents in support of the requested adjustment. Within five days after the conference, the taxing jurisdiction business license official shall issue a notice of final assessment and serve the taxpayer by mail or personal service with the notice and provide a form for any further appeal of the assessment by the taxpayer.

(2) Within thirty days after the date of postmark or personal service, the taxpayer may appeal from the notice of final assessment by filing the completed appeal form with the taxing jurisdiction business license official by mail or personal service, and by paying to the taxing jurisdiction in protest at least eighty percent of the business license tax based on the final assessment. The appeal must be heard and determined by the taxing jurisdiction council or its designated appeals officer or appeals board. The taxing jurisdiction council or its designee shall provide the taxpayer with written notice of the hearing and with any rules of evidence or procedure prescribed by the taxing jurisdiction council or its designee. The hearing must be held within thirty days after receipt of the appeal form unless continued to another date by agreement of the parties. A

hearing by the taxing jurisdiction council, or its designee, or appeals board must be held at a regular or special meeting of the taxing jurisdiction council or appeals board. At the appeals hearing, the taxpayer and the taxing jurisdiction have the right to be represented by counsel, to present testimony and evidence, and to cross examine witnesses. The hearing must be recorded and must be transcribed at the expense of the party so requesting. The taxing jurisdiction council, or its designee, or appeals board shall decide the assessment by majority vote. The taxing jurisdiction council, or its designee, appeals board, or designated appeals officer shall issue a written decision explaining the basis for the decision with findings of fact and conclusions and shall inform the taxpayer of the right to request a contested case hearing before the Administrative Law Court. The written decision must be filed with the taxing jurisdiction business license official and served on the taxpayer by mail or personal service. The decision is the final decision of the taxing jurisdiction on the assessment.

(3) Within thirty days after the date of postmark or personal service of the taxing jurisdiction's written decision on the assessment, a taxpayer may appeal the decision to the Administrative Law Court in accordance with the rules of the Administrative Law Court. The court may affirm, reverse, or remand the decision on assessment."

(J)(1) A taxing jurisdiction may contract by ordinance with an individual, firm, or organization to assist the taxing jurisdiction in collecting property or business license taxes. Except for business license taxes collected pursuant to Article 20, Chapter 9, of Title 58, and Chapters 7 and 45 of Title 38, of the 1976 Code, a private, third party entity is prohibited from assessing or collecting business license taxes or requiring a business entity to remit confidential business license tax data to that private third party on behalf of a taxing jurisdiction . This subsection shall not prohibit a taxing jurisdiction from contracting with a third party entity in assisting in the collection of business license taxes. For purposes of this subsection, assisting in the collection of business license taxes is limited to a contractual agreement with a taxing jurisdiction for a third party to identify, through publicly available records, businesses that are operating within the contracting taxing jurisdiction without a business license, and providing that identification to a taxing jurisdiction. The third pay may also assist the contracting taxing jurisdiction with providing, by United States official mail, the taxing jurisdiction's business license form, along with a self-addressed envelope containing the taxing jurisdiction address, to identified businesses on behalf of the taxing jurisdiction and the third party is strictly prohibited from any further contact with the business other than sending the letter to the identified business on behalf of the jurisdiction . A third party assisting in the collection of business license taxes as defined in this section is prohibited from collecting personal or propriety information from the identified business and is prohibited from any further contact with the business.

(2) It is unlawful for any individual, firm, or organization to contact a business in this state regarding noncompliance with a business license ordinance unless such contact is made pursuant to a contract with a taxing jurisdiction in accordance with this section.

(3) This subsection shall not prohibit a taxing jurisdiction from contracting with a third party entity solely for the purpose of providing payment processing services for the acceptance of business license tax payments.

(4) A taxing jurisdiction is prohibited from entering into a contract with a third party to assist the taxing jurisdiction in collecting property or business license taxes which includes a fee based on a percentage of taxes collected or otherwise depends on the specific result obtained. This subsection

does not apply to a taxing jurisdiction that enters into a contract with a third party solely for the collection of delinquent taxes for which a liability has been established by the issuance of a proposed assessment of property or business license taxes by a governmental entity to a business and the failure of the business to timely appeal the proposed assessment.
(5) Except for business license taxes collected pursuant to Article 20, Chapter 9, of Title 58, and Chapters 7 and 45 of Title 38, of the 1976 Code, a taxing jurisdiction may not share or disclose any information relating to business license tax applications with any third party, specifically including a private sector auditor or auditing firm who is paid on a contingency fee or success basis.
(6) Enforcement of this section shall be under the South Carolina Department of Consumer Affairs. Upon the finding of the South Carolina Department of Consumer Affairs of a violation of subsection (J) by an individual, firm, or organization, the South Carolina Department of Consumer Affairs shall award to the taxpayer bringing such an action under (J) a civil penalty equal to actual damages plus interest and reasonable attorney's fees and costs. A person or entity may, bring a private right of action:

(A) an action based on a violation of this subsection or any regulations prescribed under this subsection to enjoin such violation,

(B) an action to recover for actual monetary loss from such a violation, or to receive $500 in damages for each violation, whichever is greater, or

(C) both such actions.

If the court finds that the defendant willfully or knowingly violated this subsection or any regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than three times the amount available under subparagraph (B) of this paragraph.

SECTION 3. This act takes effect January 1, 2021.

M2.)

Ratification
Number_____

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)

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

SECTION 1. Chapter 21 of the Code of the City of Charleston is hereby amended to create a new Section 17 that reads as follows:

"Sec. 21-17. BUILDING CONSTRUCTION OPERATION NOISE.

(a) It shall be unlawful for any person to use or cause the use of any mechanical equipment or tool operated by fuel or electric power in ~~the~~ building, construction, repair, renovation, or demolition ~~project~~ **operations**, including, but not limited to, pile drivers, ~~steam shovels~~ **excavators, backhoes**, pneumatic hammers, derricks, **cranes,** steam or electric hoists, the use of which causes loud~~,~~ **and** repetitive~~, or sustained~~ noises in the City other than between the hours of 7:00 a.m. and 7:00 p.m. weekdays and 9:00 a.m. and 7:00 p.m. on Saturdays. No such construction operations **which cause loud and repetitive noises** shall occur on Sundays **or on the following City holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day.**

(b) The following noises shall be exempt from the prohibition of subsection (a):

(1) The sound produced by emergency repair measures necessary to safe guard or restore public utilities or property to a safe condition, or to protect persons or property from imminent danger, in preparation for, or following a fire, accident or natural disaster, such as a hurricane.

(2) Work ordered by a City Official or by court order to secure property.

~~(3) Work related to a City project.~~

(3) Utility construction work or construction work conducted on the public right of way.

(4) Concrete pouring; **provided, however, that 48-hours' advance notice shall be provided to all residents impacted by such activity.**

(5) Repairs, maintenance, or indoor remodeling that is completed entirely by the homeowner and where the noise is contained completely within the structure.

(c) The City may issue a permit exempting specific construction **projects** and maintenance of public streets and rights-of-way from the prohibitions of subsection (a), provided the person seeking such permit can make a showing that no reasonable alternatives exist to creating the noise at night, that the activity involved is compatible with the public safety and interest (such as avoiding traffic congestion on main thoroughfares), and the disruption is temporary. This includes but is not limited to:

(1) Projects whose timely completion is deemed key to public interest, such as schools, hospitals, municipal facilities, **affordable housing,** etc.

(2) Repairs, maintenance, or remodeling to existing occupied spaces that would prohibit normal operations if conducted during standard business hours.

(3) Placement of equipment and delivery of materials that would impact public safety and transportation if conducted during standard business hours.

Permits granted under this subsection (c) shall expire after seven days and may be renewed upon reapplication subject to the conditions listed herein.

(d) The provisions of this section shall not apply to building, construction, repair, renovation, or demolition operations which meet the following conditions:

(1) The homeowner intends to do all work himself or herself;

(2) All work is to be done on the homeowner's own dwelling; and

(3) The total valuation of the work to be done is Five Thousand and No/100 ($5,000.00) Dollars or less.

(e) Nothing herein shall be construed to relieve any person from complying with the provisions of Section 21-16 of this Code.

SECTION 2. This Ordinance shall become effective ~~six~~ **three** months after its adoption **and shall not apply retroactively to any building, construction, repair, renovation, or demolition operations for which a City Building Permit has been issued prior to such effective date.**

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

M3.)

Ratification
Number_____

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. **(AS AMENDED).**

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 has previously adopted a Resolution approving the recommendations contained in the Dutch Dialogues Charleston Final Report and adopting the recommendations to serve as an overarching guide and framework, in conjunction with the City's existing Stormwater Ordinance, Stormwater Manual, and Comprehensive Plan, for the City's long-term resiliency planning and design; and

WHEREAS, City Council now wishes to adopt such revisions to the Stormwater Design Standards Manual, in conjunction with the guidance of the Dutch Dialogues Final Report recommendations;

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)

N/.)

Ratification
Number_____

AN ORDINANCE

TO AMEND CHAPTER 2, ADMINISTRATION, ARTICLE IX, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, OF THE CODE OF THE CITY OF CHARLESTON, TO AMEND SECTION 2-286 TO INCREASE MEMBERSHIP ON THE REDEVELOPMENT AND PRESERVATION COMMISSION FROM TWELVE (12) TO THIRTEEN (13) MEMBERS.

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

Section 1. Chapter 2, Article IX, Sec. 2-286 of the Code of the City of Charleston, is hereby amended to state as follows:

"Sec. 2-286. – Membership; terms.

The redevelopment and preservation commission shall be comprised of ~~twelve (12)~~ **thirteen (13)** members consisting of the mayor and ~~eleven (11)~~ **twelve (12)** members appointed by the mayor, subject to the approval of city council, two (2) of whom shall be members of the community development committee of city council. Members shall be appointed annually at the first meeting of council in January from year to year."

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

N2.)

Ratification

Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO INCORPORATE PROVISIONS TO ALLOW SUBDIVISON AND DEVELOPMENT OF SINGLE FAMILY DETACHED AFFORDABLE HOUSING AS A CONDITIONAL USE WITHIN MULTIPLE BASE ZONING DISTRICTS.

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

Section 1. Article 2, Part 2, Sec. 54-207, Conditional Uses, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the following new subsection in alphabetical order:

"y. Affordable Housing Subdivision and Lot Development Standards for One-Family Detached Dwellings

1. Intent: To promote ownership or occupancy of quality Affordable Housing, property within the SR-1, SR-2, SR-6, STR, DR-1, DR-1F, DR-2, or DR-2F zoning district may be approved for subdivision and development for one-family detached dwellings for residential use only, in accordance with the following standards in this section. The use of the subject parcel shall be restricted to one-family detached residential housing for the provision of Affordable Housing as certified by the City of Charleston Department of Housing and Community Development, or its successor.

2. Affordable Housing Criteria:

(a.) The entity developing the subject parcel shall restrict the use of the lot or lots to a single, one-family detached dwelling on each lot for the provision of Affordable Housing as certified by the City of Charleston Department of Housing and Community Development, or its successor.

(b.) Ownership: As to owner occupied units, these units shall be sold to households earning no more than one hundred twenty (120) percent of the area median income. Each owner, prior to initial occupancy, shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, a

verified income report of household income of all members of the household. These units shall be subject to resale restrictions for no fewer than ninety (90) years from date of initial sale of the property. Such restrictions will be recorded as deed restrictions.

(c.) Rental: As to rental units, these units shall be rented to households earning no more than eighty (80) percent of the area median income, and the rents charged by the owner shall be in accordance with the Fair Market Rents published annually by the U.S. Department of Housing and Urban Development or such entity that may be subsequently designated. In the absence of such information, the rents charged by the owner shall not exceed 30 percent of the household annual income. The owner shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, the rental rate to be charged and verified income reports of household income of all rental occupants at the inception of each tenancy and on no less than a yearly basis thereafter, as determined by the City of Charleston Department of Housing and Community Development, or its successor. These units shall be subject to these restrictions for no fewer than ninety (90) years from the initial occupancy as Affordable Housing.

(d.) The entity developing the subject parcel shall execute a Memorandum of Use with the City as a party acknowledging the use of the property for Affordable Housing in accordance with the provisions of this Section, which Memorandum shall be in a form acceptable for recording in the record office of the applicable county and which shall be recorded in the record office of the applicable county. If a proposal meets the requirements of this section and the owner is willing to enter into the terms of a Memorandum of Use contained in this paragraph, the Mayor shall be authorized so sign the Memorandum of Use on behalf of the City.

3. Lot Dimensional Standards: See Section 54-301, Table 3.1 Height, Area and Setback Regulations for standards not addressed in the table below.

ZONING DISTRICT	MINIMUM LOT FRONTAGE[1]	MINIMUM LOT AREA IN SQ FT	MINIMUM SETBACKS	MAXIMUM LOT OCCUPANCY
SR-1	45'	7,000	Front 25', Rear 20', Sides 7'SW, 7'NE	35%
SR-2	40'	4,400	Front 25', Rear 15', Sides 6'SW, 6'NE	50%
SR-3	40'	4,400	Front NR', Rear 3', Sides 9'SW, 3'NE	50%
SR-4	40'	3,200	Front NR', Rear 3', Sides 9'SW, 3'NE	50%
SR-5	35'	2,500	Front-NR', Rear-3', Sides-7'SW, 3'NE	50%

SR-6	35'	4,000	Front 18', Rear 10', Sides 4'SW, 4'NE	50%
STR [2]	40' or no frontage required	4,800	Front 25', Rear 15', Sides 5'SW, 5'NE	50%
DR-1 [2]	32' or no frontage required	2,800	Front NR', Rear 3', Sides 7'SW, 3'NE	50%
DR-1F [2]	32' or no frontage required	2,800	Front 25', Rear 3', Sides 7'SW, 3'NE	65%
DR-2 [2]	32' or no frontage required	2,200	Front NR', Rear 3', Sides 7'SW, 3'NE	50%
DR-2F [2]	32' or no frontage required	2,200	Front 25', Rear 3', Sides 7'SW, 3'NE	65%

Footnotes

[1.] Requirement for averaging surrounding lot frontages per Section 54-824(c)(1) shall not apply.

[2.] Lots in STR, DR-1, DR-1F, DR-2, or DR-2F zoning districts that front on a street may be subdivided to create one lot with no lot frontage provided that both lots meet all requirements in this subsection, both lots are used for Affordable Housing in accordance with the requirements of Sec. 54-207,y, and a platted and recorded shared ingress/egress easement utilizing an approved driveway is furnished to the newly created lot without frontage.

4. Off-Street Parking Requirements: Each lot used for Affordable Housing in accordance with the requirements of Sec. 54-207,y. shall provide two off-street parking spaces."

Section 2. Article 2, Part 3, Table of Permitted Uses, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding "or 54-207, y." to principal use category 888. Affordable Housing 54-207, p. and by inserting the conditional use symbol "‡" in the columns for zoning districts, SR-1, SR-2, SR-3, SR-4, SR-5, SR-6, and STR, which denotes this principal use is allowed as a conditional use in said zoning districts.

Section 3. Article 3, Part 1, Section 54-301, Table 3.1: Height, Area and Setback Regulations, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the number "21" as a superscript after the zone district designation listings for SR-1, SR-2, SR-3, SR-4, SR-5, SR-6, and STR.

Section 4. Article 3, Part 1, Section 54-301, Table 3.1: Height, Area and Setback Regulations, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to revise footnote 21 to read as follows with new text shown in double underline:

"21. Minimum lot area, setbacks, frontage and maximum lot occupancy for Affordable Housing are set forth in Sec. 54-207, p. or 54-207, y."

Section 5. Article 8, Part 3, Sec. 54-824, Design Standards for New Lots, subsection c. paragraph 1, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows with new text shown in double underline:

"Lot frontage for single-family and two-family residential. The following lot frontage requirements in Table 8.2.3 shall apply to all new single and two-family residential lots, except that residential lots within existing residential subdivisions may not be subdivided with lot frontages less than the average lot frontage of all abutting residential lots, residential lots across the street(s), and residential lots within five (5) lots on either side of the frontage of the subject lot, or the minimum lot frontage for that zoning district, whichever is greater. Lots subdivided and developed for one-family detached Affordable Housing per section 54-207, y. shall be subject to the frontage requirements of that section.

Lot frontage for multi-family. Multi-family residential lots shall have a minimum lot frontage of fifty (50) feet on a street and parking shall be prohibited within the required setback within the district. Multi-family zoned lots subdivided and developed for one-family detached Affordable Housing per section 54-207, y. shall be subject to the frontage requirements of that section."

Section 6. Article 2, Part 2, Sec. 54-207, Conditional Uses, subsection p. Affordable Housing, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting new text "on existing lots of record platted prior to August 21, 2018" after "Affordable Housing shall be permitted" to read as follows with new text shown in double underline:

"p. Affordable Housing shall be permitted on existing lots of record platted prior to August 21, 2018 within the DR-1, DR-1F, DR-2, DR-2F, LB, GB, LI, MU-1, MU-1/WH, MU-2 and MU-2/WH districts if the proposal satisfies the following conditions, except that there are no density limits in the MU-1, MU-1/WH, MU-2 and MU-2/WH districts:"

Section 7. Article 2, Part 2, Sec. 54-207, Conditional Uses, subsection p. Affordable Housing, paragraph (d.) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting "forty-seven percent" and replacing in its place and stead "fifty (50) percent.

Section 8. Article 1, Part 3, Sec. 54-120, Definitions, is hereby amended by inserting the words "used exclusively for residential uses" after the words "dwelling units" in the first sentence and correcting a scrivener's error so that the definition shall read as follows:

Affordable Housing. Single-family, two-family or multi-family dwelling units, used exclusively for residential uses, where occupants have, in the aggregate, household income of less than or equal to one hundred twenty (120) percent of median area income for owner occupied units, or eighty (80) percent of median area income for rental units. Median area income shall be determined annually by the U.S.

Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or its successor. Household income shall include all sources of financial support, both cash and in kind, of adult members of the household, to include wages, salaries, tips, commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or trusts, Social Security benefits, railroad retirement benefits, Supplemental Security income, Aid to Families with Dependent Children or other public assistance or public welfare programs, other sources of income regularly received, including Veterans' (VA) payments, unemployment compensation and alimony, awards, prizes, government or institutional or eleemosynary loans, grants or subsidies and contributions made by the members' families for medical, personal or educational needs.

Section 9. 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 Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner-Maybank
Clerk of Council

COMPARISION TABLE: NEW/REVISED STANDARDS & (EXISTING STANDARDS)

ZONING DISTRICT	MINIMUM LOT FRONTAGE[1, 2]	MINIMUM LOT AREA IN SQ FT	MINIMUM SETBACKS	MAXIMUM LOT OCCUPANCY
SR-1	45' (50')	7,000 (9,000)	Front 25', Rear 20', Sides 7'SW, 7'NE (F-25', R-25', Sides-9'SW, 9'NE)	35% (35%) no change
SR-2	40' (50')	4,400 (6,000)	Front 25', Rear 15', Sides 6'SW, 6'NE (F-25', R-25', Sides-9'SW,9'NE)	50% (50%) no change
SR-3	40' (50')	4,400 (6,000)	Front NR', Rear 3', Sides 9'SW, 3'NE (F-NR', R-3', Sides-12'SW, 6'NE)	50% (35%)
SR-4	40' (50')	3,200 (4,000)	Front NR', Rear 3', Sides 9'SW, 3'NE (F-NR', R-3', Sides-9'SW, 6'NE (15'total))	50% (35%)
SR-5	35' (50')	2,500 (2,500)	Front-NR', Rear-3', Sides-7'SW, 3'NE (F-NR', R-3', Sides-7'SW, 3'NE) no change	50% (35%)
SR-6	35' (50')	4,000 (5,000)	Front 18', Rear 10', Sides 4'SW, 4'NE (F-18', R-10', Sides-5'SW,5'NE)	50% (50%) no change
STR	40' or no frontage required (50')	4,800 (6,000)	Front 25', Rear 15', Sides 5', 5' (F-25', R-25', Sides- 12'SW, 6'NE)	50% (50%) no change
DR-1	32' or no frontage required (40')	2,800 (4,000)	Front NR', Rear 3', Sides 7'SW, 3'NE (F-NR', R-3', Sides-9'SW, 3'NE (15'Total))	50% (35%)
DR-1F	32' or no frontage required (40')	2,800 (4,000)	Front 25', Rear 3', Sides 7'SW, 3'NE (F-25', R-3', Sides-9'SW, 3'NE (15'Total))	65% (50%)
DR-2	32' or no frontage required (40')	2,200 (2,500)	Front NR', Rear 3', Sides 7'SW, 3'NE (F-NR', R-7', Sides-7' SW, 3'NE)	50% (35%)
DR-2F	32' or no frontage required (40')	2,200 (2,500)	Front 25', Rear 3', Sides 7'SW, 3'NE (F-25', R-3', Sides-7'SW, 3'NE) no change	65% (50%)