



JOHN J. TECKLENBURG
MAYOR

City of Charleston
South Carolina
Clerk of Council Department

VANESSA TURNER MAYBANK
CLERK OF COUNCIL

SPECIAL

COMMUNITY DEVELOPMENT COMMITTEE AGENDA

A meeting of the Community Development Committee will be held at 3:00 p.m., Thursday, March 26th via Conference Call at 1-929-205-6099, Access Code: 563 230 673. The agenda will be as follows:

- Invocation

a. New Business:

1. Approval of a Substantial Amendment to the City of Charleston's 2015-2020 Consolidated Plan as a result of COVID-19 *(To be sent under separate cover by Housing and Community Development)*
2. Consideration of Amendment to Agreement with the Local Development Corporation ("LDC") to create an emergency fund to assist small businesses as a result of COVID-19
3. Discussion re: proposed Emergency Ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding a new Part 4 – Temporary Procedures for public hearings to Article 1 (general provisions) to implement Section 5 of Executive Order No. 2020-10 by permitting hearings on development approvals before certain City Boards and Commissions to be held virtually or by remote or other alternative means and to urge the general assembly to adopt similar legislation. *(Requested by Councilmember Ross Appel)*
4. Report from the Charleston Metro Chamber of Commerce *(Requested by Councilmember Jason Sakran)*

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.



AN EMERGENCY ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING A NEW PART 4 – TEMPORARY PROCEDURES FOR PUBLIC HEARINGS TO ARTICLE 1 (GENERAL PROVISIONS) TO IMPLEMENT SECTION 5 OF EXECUTIVE ORDER NO. 2020-10 BY PERMITTING HEARINGS ON DEVELOPMENT APPROVALS BEFORE CERTAIN CITY BOARDS AND COMMISSIONS TO BE HELD VIRTUALLY OR BY REMOTE OR OTHER ALTERNATIVE MEANS AND TO URGE THE GENERAL ASSEMBLY TO ADOPT SIMILAR LEGISLATION.

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

Section 1. Findings. City Council finds as follows:

WHEREAS, to meet public emergencies affecting life, health, safety or the property of the people, City Council may adopt emergency ordinances by the affirmative vote of at least two-thirds of the members of City Council present;

WHEREAS, an emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements;

WHEREAS, emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;

WHEREAS, the COVID-19 pandemic has created a state of emergency in the City of Charleston, the State of South Carolina, and the nation, which has drastically impacted the life, health, safety, and property of the people;

WHEREAS, while the impact to the life, health, and safety of the people is of paramount concern, City Council finds it necessary to blunt, as much as reasonably feasible, the economic impact to the property of the people;

WHEREAS, on March 17, 2020, the Governor of South Carolina issued Executive Order No. 2020-10 (“EO-10”), which, among other things, prohibits and directs the postponement,

rescheduling or cancellation of any organized event or public gathering scheduled to be hosted or held at any location or facility owned and operated by the City, if any such event or gathering could or would involve or require simultaneously convening fifty (50) or more persons in a single room, area, or other confined or indoor space;

WHEREAS, EO-10 also provides that the prohibition does not apply to meetings of local government bodies or gatherings of government officials or employees or other personnel that may be required in connection with the performance of essential government functions, but that, to the greatest extent possible, local government bodies should utilize any available technology or other reasonable procedures to conduct such meetings and accommodate public participation via virtual or other remote or alternate means;

WHEREAS, due to the state of emergency caused by the COVID-19 pandemic, City Council finds that the City has a compelling interest in ensuring the continued predictability and stability of the local economy by continuing to process applications for development approvals in as orderly a manner as practical, while balancing such interest against the importance of ensuring that the general public and interested parties have a full and fair opportunity to voice their support or opposition to applications for development permits;

WHEREAS, the COVID-19 pandemic has had and will continue to have a substantial financial and economic impact on City residents, property owners, business owners, and others, such that the City’s various boards and commissions charged with considering development applications, including but not limited to the Planning Commission, the Board of Zoning Appeals-Zoning, the Board of Zoning Appeals-Site Design, the Design Review Board, the Board of Architectural Review-Large, and the Board of Architectural Review-Small, provide essential government functions, as described in EO-10; and

WHEREAS, the economic consequences arising from the suspension of the consideration of applications for such development approvals for an indefinite period of time will substantially and adversely impact the development community, persons employed by the developer community, and, by extension, the local economy.

Section 2. That Article 1 (General Provisions) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is amended to include a new Part 4 (Temporary Procedures for Public Hearings), as follows:

PART 4 – TEMPORARY PROCEDURES FOR PUBLIC HEARINGS

Sec. 54-130 – Definitions.

Words and terms used in this Part shall be defined as follows:

1. “Development Approval” means an approval issued by the City of Charleston or any of its Boards, regardless of the form of the approval, that is for the development of land, including but not limited to an approval of concept plans, development plans, land development plans, final plats, special exceptions, variances, demolition permits, or a site specific development plan.

2. “Boards” refers to all City boards, commissions, committees, or other City bodies, however named, charged with hearing applications for Development Approvals, including but not limited to the Planning Commission, the Board of Zoning Appeals-Zoning, the Board of Zoning Appeals-Site Design, the Board of Architectural Review-Large, the Board of Architectural Review-Small, and the Design Review Board.

3. “Board Member” or “Board Members” means all persons serving on Boards.

4. “Virtual Attendance” means attendance by electronic means (e.g., conference call, GoToMeeting, or Skype); provided, however, all Board Members must be able to hear and be heard by all other Board Members, the member of City staff keeping minutes, the applicant, all interested parties, and members of the general public seeking to attend virtually throughout the hearing, subject to Sec. 54-132.

Sec. 54-131 - Procedures

Notwithstanding any other provisions of this Chapter to the contrary, the following procedures shall apply to meetings and public hearings before Boards for the period running between April 1, 2020 and May 22, 2020:

A. Virtual Attendance (Board Members). For purposes of calculating a quorum, voting, and in all other respects, only Virtual Attendance is permitted as to all Board Members.

B. Virtual Attendance (City Staff): For purposes of taking minutes and complying with other procedural requirements, only Virtual Attendance is permitted as to all members of City staff.

C. Virtual Attendance (Others): For purposes of public participation and the submission of evidence or testimony during a public hearing, only Virtual Attendance is permitted as to the applicant, other interested parties, and members of the general public.

D. Notice. Any required notice of a public hearing shall be provided in the same manner and according to the same time periods currently set forth in this Chapter; provided, however, the date, time, and the appropriate information for permitting Virtual Attendance shall be provided in any such notice. Notwithstanding the foregoing, the appropriate information for permitting Virtual Attendance may be changed or updated at any time by posting such updated information to the City’s website; provided, however, such information shall not be changed within twenty-four (24) hours of the date and time of the public hearing.

E. Testimony. Any testimony offered by City staff, the applicant, other interested parties, and members of the general public shall be taken only after the person testifying identifies him or herself by name and address and after the person is individually sworn in by the Board chairperson by oath or affirmation in accordance with the general rules applicable to taking such testimony under oath or affirmation. Testimony may be taken by virtual means, provided all the requirements for Virtual Attendance are met. All testimony must be taken during the public hearing.

F. Exhibits. Any and all exhibits should be submitted to City staff by electronic means as early as possible before the hearing so as to be included on the City’s website for review by Board Members, City staff, the applicant, other interested parties, and members of the general public. Any exhibits to be submitted at the public hearing must be provided electronically to a designated member of City staff and be available for viewing by all Board Members and other persons attending by Virtual Attendance simultaneously with the electronic submission of such exhibits.

G. Other Procedures. Unless inconsistent with the foregoing, all other procedures set forth in this Chapter for meetings and public hearings on development approvals shall continue to apply.

Sec. 54-132 – Disruption

To the extent reasonably necessary to avoid disruption of any public hearing, the chairperson of a Board may order that all persons attending by Virtual Attendance, except Board Members and members of City staff, be placed on mute; provided, however, the City must provide alternative means for individual participants to be recognized by the Board chairperson and taken off mute during the meeting; and, further provided, that all those participating shall at all times have the ability to hear what is being said by Board Members, City staff, the applicant, interested parties, and other persons who have been properly recognized during the meeting.

Section 3. City Council hereby urges the General Assembly of South Carolina to enact legislation providing similar alternative procedures for meetings and public hearings with respect to development approvals, in the interest of protecting and preserving the state and local economies during the COVID-19 pandemic.

Section 4. This Ordinance shall become effective upon ratification and shall expire on May 22, 2020.

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

ATTEST:

By: _____
Vanessa Turner Maybank
Clerk of Council



COVID-19 BUSINESS IMPACT SURVEY

March 24, 2020

KEY FINDINGS

- 75% of respondents report revenue impact, 80% report operational impact.
- Decrease in customers/orders is the most cited impact
- Hospitality sector business report most severe impacts.
- Overall high anxiety about business prospects in a climate of deep uncertainty.

OVERVIEW

Impacts to business operations and revenue from COVID-19 on employers in the Charleston region are widespread and occurring rapidly. 75% of respondents to a recent Charleston Metro Chamber survey reported that COVID-19 has impacted their revenue, 80% reported impacts to operations.

The most frequently cited top impact was a decrease in customers/orders, followed closely by an inability to deliver core products/services due to social distancing restrictions. For a limited number of businesses, supply chain disruption or decreased productivity were cited as the top concern.

Business anxiety about the future is high. When asked to anticipate the severity of overall impact from COVID-19 on a 10-point scale where 1 is minimal impact and 10 is possible business closure, 7 was the median response. 23% of respondents reported a 9 or 10 anticipated severity, only 6% reported a 1 or 2.

While the nature and severity of impact vary widely by sector and specific business, COVID-19 has caused widespread business disruption in under two weeks.

BUSINESS CONCERNS/NEEDS

Four themes have been repeated in conversations about immediate business needs:

- 1) **Capital loans** – access to working capital with speed and efficiency in processing is the biggest need. Some of the hardest hit businesses won't be able to cover their next payroll or rent payment without help.

- 2) **Support for displaced workers** – unfortunately employee layoffs in some sectors are coming fast and deep. There are questions about the viability of the state's unemployment fund if layoffs are as widespread as feared and disruption stretches.
- 3) **Continuity of services** – as local governments appropriately transition to remote work and deploy social distancing tactics, there is concern in some sectors with timeliness for critical services like permitting and inspection to allow work to proceed.
- 4) **Accurate and timely information** - hunger for information is very high, particularly about promulgation of and compliance with new regulations and orders, the development of business financing programs, and efforts to aid displaced workers.

The official designation on March 20 of eligibility for South Carolina to apply for Small Business Administration Economic Injury Disaster Loans was welcomed news to many employers. Processing efficiently in the coming days will be an important test.

<https://disasterloan.sba.gov/ela/>

Many members have asked preemptive questions about the definition criteria for businesses deemed “essential” in the event of wider shutdown. Recently issued federal guidance is the foundation for initial determination. <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>

Overall, businesses need decisive, effective government action in response to both the health and economic implications of COVID-19. They also need more clarity on the timeline for response and basis for future decisions.

Much about the virus is uncontrollable and still unknowable. The more quickly more controllable things are made clear, businesses will be better able to adjust plans and position for recovery.

SECTOR IMPACT

Advanced Manufacturing – most firms continue operating production lines for now, with team members who can telework doing so. Several have announced planned pauses beginning as early as this week for a period of 2-3 weeks. Supply chain continuity is a lingering concern. Several regional manufacturers are in sector deemed critical to national infrastructure.

Construction/Engineering Services – projects already in the development pipeline are proceeding for now with minimal disruption. Crews and subcontractors remain active on jobsites. Delays in permitting and building inspection as local governments adjust to new remote work protocols has the potential to hamper continued progress. Many report that the pipeline for future projects is thin, a potential warning signal for the duration of economic recovery.

General Business – from banking to accounting, IT to marketing, many professional service firms have transitioned to remote work environments and are busy helping their clients respond to urgent issues.

Healthcare – in addition to being on the front lines of pandemic response, major players in the critical health care service and delivery sector, plus their supply chain, face unique workforce and supply chain challenges. More help may be needed from state and federal sources as more cases of coronavirus become severe.

Hospitality (*including hotel, food/beverage, event venues*) – experiencing a sharp, immediate impact with the majority reporting deep layoffs. Transition to take-out cannot replace much of the lost business. Many businesses in this sector of all sizes are vulnerable to closure without rapid assistance.

Non-profit/charitable – leaders in this important sector, both for employment and for critical human needs, are concerned about their capacity to raise needed funds to meet rapidly increasing needs.

Logistics - Port activity and the logistics sector continue to operate with minor disruptions. Initial signals show potential for rebound in trade activity with China, a positive sign for the supply chain.

Real Estate – on the residential side, showing and listings are down sharply. On the commercial side, many property owners are already beginning negotiations with leaseholders and lenders. Local government services provided by the Registrar of Deeds are essential to keep transactions processing.

Retail – dramatically uneven impacts exist in this sector with grocery, pharmacy, home improvement and other essential goods retailers posting strong sales and struggling to maintain inventory while other retailers (particularly tourism-centric shops) hurt dramatically.

DATA COLLECTION

Information for the report was collected Wednesday, March 18 through Saturday, March 21 via:

- Electronic survey sent to all Chamber members
- One-on-one calls to every Chamber member employer (+1,700 total)
- Chamber Executive Committee and government relations video conferences

Additional surveying is planned in the coming weeks and throughout the duration of COVID-19 impact to the regional and national economy.

CONTACT

For more information about these findings and the impact of COVID-19 on Charleston area businesses, please contact:

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