

September 22, 2020
5:00 p.m.

**Conference Call:
1-929-205-6099**

**Access Code:
912096416**

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Gregorie

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Proclamation recognizing Vanessa Turner Maybank, Clerk of Council
2. Proclamation recognizing Hispanic Heritage Month Proclamation

E. Public Hearings

(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.)

Please use one of the following methods to request to speak at the meeting or provide comments for City Council. Requests to speak at the meeting and comments must be received by 12:00 p.m., Tuesday, September 22nd:

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

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 property located on Sheppard Street (Peninsula) (approximately 1.386 acres) (TMS #460-04-04-074, 460-04-04-078, 460-04-04-080 and 460-04-04-086) (Council District 4), be rezoned from General Business (GB) classification and Limited Business (LB) classification to Planned Unit Development (PUD) classification (Sheppard Street PUD), with the Planned Unit Development Guidelines attached hereto and incorporated herein by reference to serve as the development plan for such property, and removing the Accommodations Overlay Zone (A) classification. The property is owned by King and Sheppard Partners, LLC; Sheppard Parking LLC; and Lowcountry Marketing Group, LLC.
(AS AMENDED) (SECOND READING)

2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2421 Ashley River Road (West Ashley) (approximately 8.04 acres) (TMS #355-16-00-025, 026 & 027) (Council District 2), be rezoned from General Business (GB) classification to Diverse Residential (DR-1F) classification. The property is owned by Homes of Hope, Inc. **(SECOND READING)**
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2 Race Street (Peninsula) (approximately 0.46 acre) (TMS #460-04-01-103) (Council District 3), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by Charleston Local Development Corporation. **(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 2 Race Street (Peninsula) (approximately 0.46 acre) (TMS #460-04-01-103) (Council District 3), be rezoned from 2.5 Story Old City Height District Classification to 3 Story Old City Height District classification. The property is owned by Charleston Local Development Corporation. **(SECOND READING)**
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1814 Harmon Street (Peninsula) (approximately 2.1 acres) (TMS #464-02-00-052) (Council District 4), be rezoned from General Business (GB) classification to Light Industrial (LI) classification. The property is owned by J. Gibson Properties, LLC.
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 properties located on Morrison Drive, Romney Street and North Romney Street (Laurel Island) (approximately 196.1 acres) (TMS # 464-00-00-006, 002, 023, 038, 459-02-00-013, and 461-13-03-024) (Council District 4), be rezoned from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) classification to Planned Unit Development (PUD) (Laurel Island) classification, with the Planned Unit Development guidelines attached hereto and incorporated herein by reference to serve as the Development Plan for such property. The property is owned by Charleston County and LRA Promenade North LLC.
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 2444 Quail Hollow Court (West Ashley) (approximately 0.09 acre) (TMS #355-16-00-069) (Council District 2), annexed into the City of Charleston September 8, 2020 (2020-121), be zoned Diverse Residential (DR-1) classification. The property is owned by Douglas R. Wurster.
8. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2229 Weepoolow Trail (West Ashley) (approximately 0.32 acre) (TMS #353-12-00-017) (Council District 2) (2020-120), annexed into the City of Charleston September 8, 2020, be zoned Single-Family Residential (SR-1) classification. The property is owned by John Everett McInnis.
9. An ordinance to amend the zoning ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1551 North Pinebark Lane (West Ashley) (approximately 0.22 acre) (TMS #353-15-00-037) (Council District 7), annexed into the City of Charleston September 8, 2020 (2020-122), be zoned Single-Family Residential (SR-1) classification. The property is owned by Roscoe L. Bolton, III and Joy L. Bolton.

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. August 18, 2020
2. September 8, 2020

H. Citizens Participation Period

Please use one of the following methods to request to speak at the meeting or provide comments for City Council. If requesting to speak, you must join by telephone using the conference call number listed at the top of the agenda. Requests to speak at the meeting and comments must be received by 12:00 p.m., Tuesday, September 22nd:

1. Request to speak or leave a comment via voice mail at 843-579-6313. If requesting to speak, please provide your name and telephone number;
2. Sign-up to speak or leave comments for City Council by completing the form at <http://innovate.charleston-sc.gov/comments/> by Tuesday, September 22nd at 12:00 p.m.
3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

I. Petitions and Communications:

1. Approval of Appointments:

i. Citizen Police Advisory Committee:

Matt Austin

Emily Broome

Vansh Nagpal

Peter Beck

ii. Minority Business Enterprise Advisory Board:

Mary Butler

Karl Hudson Phillips

Joan Robinson Berry

iii. Board of Zoning Appeals Zoning:

Geiza Vargas-Vargas

John S. Bennett

2. Resiliency and Sustainability Advisory Committee Report
3. Request to approve proposed amended settlement agreement between the City and Carmella's, LLC, arising out of Case No. 2019-CP-10-4217, Carmella's, LLC v. City of Charleston, et al., relating to a request for a special exception for a late night use at 198 Easy Bay Street, Suite 100 (Charleston County TMS No. 458-05-04-003).
4. Update on the City's response to COVID-19 - *Mayor John J. Tecklenburg, Shannon Scaff, Emergency Management Director, and Tracy McKee, Chief Innovation Officer*
5. Executive Order Continuing the Declaration of State of Emergency in response to COVID-19 Virus Outbreak
6. Emergency ordinance amending Emergency Ordinance 2020 -100 by deleting language in Section 7 prohibiting amplified music in bars and restaurants after 9 pm and replacing it with 11 pm
7. Emergency Ordinance extending certain emergency ordinances related to COVID-19

J. Council Communications:

1. Discussion regarding codifying the Urban Growth Boundary as a City Ordinance. Should Council decide to move forward, Council can refer the item to the appropriate committee for further recommendation, or may recommend staff prepare an ordinance to bring back to City Council (*Requested by Councilmember Karl Brady*)
2. Discussion of destruction of column of Calhoun Statue. (*Requested by Councilmember Harry Griffin*)
3. Discussion regarding walking tours (*Requested by Councilmember Harry Griffin*)

K. Council Committee Reports:

- 1. Committee on Traffic and Transportation: (Meeting was held on Tuesday, September 22, 2020 at 3:00 p.m.)**
 - a. Calhoun Street and St. Phillip Street Road Safety Audit Presentation (information only)
 - b. Non-Consensual Towing Ordinance (discussion only)
 - c. BUILD Grant Ashley River Crossing Update (information only)
 - d. Traffic Calming Update (information only)
 - e. Director's Update
- 2. Committee on Public Works and Utilities: (Meeting was held Monday, September 21, 2020 at 4:00 p.m.)**
 - a. Stormwater Management Department Update:**

- (i). Barberry Woods Drainage Improvement – Approval of Fee Amendment #1 with WK Dickson & Co., Inc. in the amount of \$192,745.00 for additional engineering and design services for drainage improvements in the Barberry Woods area of Johns Island. This work is funded by the National Fish and Wildlife Foundation (NFWF) Grant and the Drainage Fund to evaluate existing drainage ways within Johns Island for preservation and natural system restoration.
 - (ii). Barberry Woods Drainage Improvement – Approval of a Professional Services Contract with The Water Institute of the Gulf in the amount of \$42,255.00 for Masterplan Services as part of the Johns Island Restoration Plan to Improve Flood Resiliency. This work is funded by the National Fish and Wildlife Foundation (NFWF) Grant and the Drainage Fund.
- b. An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-105 to reference FEMA’s updated flood insurance study for Charleston County, effective January 29, 2021.

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

An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-105 to reference FEMA’s updated flood insurance study for Charleston County, effective January 29, 2021.

3. Committee on Ways and Means:

- (Budget Finance and Revenue Collections: An ordinance authorizing the issuance of City of Charleston Public Facilities Corporation Installment Purchase Revenue Bonds (City of Charleston Project), Series 2020; authorizing the execution and delivery of certain instruments relating to the issuance and sale of the aforesaid bonds, each between the City of Charleston, South Carolina and City of Charleston Public Facilities Corporation, a Bond Purchase Agreement among the City, City of Charleston Public Facilities Corporation and the underwriter, and a preliminary official statement and an official statement; and other matters relating thereto.
- (Police Department: Approval to accept the 2020 VOCA grant in the amount of \$74,826 for the salaries and fringe benefits of (1) Elder Advocate and (1) Resource Specialist that reports to the CPD Family Violence Unit. A cash match of \$18,707 is requested to be budgeted.
- (Police Department: Approval to accept the 2020 Port Security Grant in the amount of \$274,766 for the Munson Retrofit and the Night Vision and Laser Designator for Harbor Patrol and SWAT. A cash match of \$91,589 is requested to be budgeted for 2021.
- (Parks-Capital Projects: Approval of an Amendment to the Memorandum of Understanding with the Charleston County School District for cost share of the construction of a track around Stoney Field by Gulfstream Construction. Work will include a surcharge program, building a retaining wall along the marsh, cut of wall at each stadium face, perimeter fencing and the base and asphalt surface course. The City’s share of this will be \$460,895 (50% of the bid price of \$921,790). Approval of this MOU will obligate \$460,895 of the \$3,018,480.50 project budget. Funding sources for this project are: 2005 GO Bond (\$399,048), 2018 GO Bond (\$2,600,000) and Capital Contribution (\$19,432.50).
- (Parks-Capital Projects: Approval of the Ashley River Pedestrian Bridge Professional Services Contract with HDR Engineering, Inc. of Charleston in the amount of \$2,009,112.81 for design build contract support, contingent upon FHWA approval of

pre-award costs. Work performed under this contract is necessary to bid the Design Build Contract by next fall in order to obligate the FHWA Build Grant funding. The City has been working under the direction of FHWA with assistance from SCDOT to negotiate the contract with HDR that is in compliance with Federal guidelines. Approval of this professional services contract will obligate \$2,009,112.81 of the \$22,749,750 project budget. Funding sources for this project are: BUILD Grant, Charleston County, General Fund Reserves and MUSC. Notice to proceed will not be given to contractor until City has received approval award letter from FHWA and subsequent funding from Charleston County.

- (Parks-Capital Projects: Approval of International African American Museum GMP Change Order #5 with Turner Construction Company in the amount of \$229,150 for changes to include low voltage and revision to track lighting as coordinated with exhibitry. Approval of Change Order #5 will increase the Guarantee Maximum Price (GMP) Contract by \$229,150 (from \$58,892,872 to \$59,122,022). This change order is fully funded by the IAAM. Funding sources for this project are: Accommodations Tax (\$13,200,000), Charleston County Accommodations Tax (\$12,500,000), State Funding (\$14,000,000), IAAM Contributions (\$53,000,000).
- (Stormwater Management: Approval of the Johns Island Restoration Plan to improve flood resiliency professional services contract with The Water Institute of the Gulf in the amount of \$42,255 for Masterplan Services as part of the John's Island Restoration Plan to improve flood resiliency. The professional services contract will obligate \$42,255 of the project budget. Funding for this project is coming from a National Fish & Wildlife Grant (\$117,500) and Drainage Fund (\$117,500).
- (Stormwater Management: Approval of Barberry Woods Improvements Fee Amendment #1 with WK Dickson & Co., Inc. in the amount of \$192,745 for additional engineering and design services for drainage improvements in the Barberry Woods area of Johns Island. This fee amendment will add an additional 60 calendar days to the contract. Approval of Fee Amendment #1 will increase the professional services contract by \$192,745 (from \$498,050 to \$690,795). Funding for this fee amendment is coming from a National Fish & Wildlife Grant (\$117,500) and Drainage Fund (\$117,500).
- (Housing and Community Development: Mayor and City Council are asked to approve the Coordinated Agency System Agreement that allows staff to participate with Charleston County and Service Providers across the Tri-County area to address a continuum of care for persons who are frequently in contact with the criminal justice system. The Homelessness Coordinator is the individual from the Department of Housing and Community Development that participates in these discussions and recommendations.
- (Planning, Preservation, and Sustainability (Business and Neighborhood Services): Approval to submit a grant application to Municipal Association of South Carolina in the amount of \$25,000 for the implementation of new wayfinding signage in the Central Business District. BNS plans to submit the application by September 25, 2020. There is a 15% match. The City match will be in-kind by accounting for Business and Neighborhood Services staff time and fringe benefits.
- (Discussion of report from Bennett Preservation Engineering
- (Parks-Capital Projects: Approval of a Professional Services contract with Bennett Preservation Engineering, PC, in the amount of \$89,355 for engineering services related to the partial removal and preservation of the St. Julian Devine Community Center Smoke Stacks. Approval of this engineering contract will obligate \$89,355 of the project budget \$3,110,000. 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 Charleston Parks Conservancy Contribution (\$210,000).
(DEFERRED)

(Parks-Capital Projects: Approval of a Construction Contract with Demolition Environmental Company, LLC (DECO) in the amount of \$485,990 for the partial demolition, removal and preservation of the twin smoke stacks located at the St. Julian Devine Community 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 Construction Contract will obligate \$485,990 of the project budget \$3,110,000. 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 Charleston Parks Conservancy Contribution (\$210,000). *(DEFERRED)*)

(Request authorization for the Mayor to execute a change order to the Agreement for Voluntary Cleanup Contract Services (Revision 1) Housing Parcel (VCC 17-6523-NRP) (the "VCC") from S&ME, Inc., relating to that certain parcel, containing 0.71 acres, more or less, located at the southern terminus of F Street (Charleston County TMS No. 4600404118) pursuant to the attached "Change to Agreement for Services" with S&ME, Inc. The change order would increase the scope of services S&ME proposes to perform on the site, as required under the VCC, to include additional soil quality assessment and to prepare a corrective measures ("CMP") and media management plan ("MMP"). SCDHEC will require these additional measures under the VCC. The change order will increase the total contract price from \$76,945.00 to \$86,110.00, for a total increase of \$9,165.00.

(Authorize the Mayor to execute an MOU with Enough Pie for the installation of an artistic mural on the I-26 bridge columns between Cypress and Romney Streets near the Vivian Moultrie Playground. (41 Ashley Avenue – Vivian Anderson Moultrie Park)

(Approve an Agreement to Buy and Sell Real Estate between the City and Shade Tree Holdings, LLC, a South Carolina limited liability company, for the sale of approximately 3.329 acres located on Wildst Battery Dr. (at the intersection of Maybank Hwy. and Wildst Battery Dr. on Johns Island), to the City for the purchase price of \$800,000. (TMS: 313-00-00-337)

(Consider the following annexation:

- 1858 Christian Road (TMS# 353-14-00-095) 0.22 acre, West Ashley (District 7). The property is owned by William J. and Elizabeth K. Trull.

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

An ordinance authorizing the issuance of City of Charleston Public Facilities Corporation Installment Purchase Revenue Bonds (City of Charleston Project), Series 2020; authorizing the execution and delivery of certain instruments relating to the issuance and sale of the aforesaid bonds, each between the City of Charleston, South Carolina and City of Charleston Public Facilities Corporation, a Bond Purchase Agreement among the City, City of Charleston Public Facilities Corporation and the underwriter, and a preliminary official statement and an official statement; and other matters relating thereto.

An ordinance to provide for the annexation of property known as 1858 Christian Rd (0.22 acre) (TMS# 353-14-00-095), 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 7. The property is owned by William J and Elizabeth K Trull.

L. Bills up for Second Reading:

(City Council may give second reading, order to third reading, give third reading, and

order engrossed for ratification any bill listed on the agenda as a second reading.)

1. An ordinance to amend Chapter 27, Stormwater Management and Flood Control, to add an additional article to be numbered as Article IV, and titled Church Creek Stormwater Drainage Basin Authority whose purpose is to review, rank, and make recommendations to the Mayor and City Council on the selection of Church Creek stormwater drainage basin projects, priority, and funding.
2. A Supplemental Ordinance providing for the issuance and sale of one or more series of City of Charleston, South Carolina, Stormwater System Refunding Revenue Bonds; and other matters relating thereto.
3. An ordinance to provide for the annexation of property known as 1569 N Pinebark Ln (approximately 0.27 acre) (TMS# 353-15-00-033), 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 7. The property is owned by Elizabeth and Nicholas Curry.
4. An ordinance to provide for the annexation of property known as 772 Yaupon Drive (approx. 2.3 acre) (TMS# 263-00-04-038), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. The property is owned by Beverley D. and James P. Rardin. (DEFERRED AT THE REQUEST OF THE APPLICANT)
- 5.. An ordinance to provide for the annexation of property known as 3338 Maybank Highway (approx. 1.1 acre) (TMS# 279-00-00-035), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Consultants, LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)
- 6.. An ordinance to provide for the annexation of property known as 3328 Maybank Highway (approx. 4.588 acre) (TMS# 279-00-00-031), 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 Kulick Properties, LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)
7. An ordinance to provide for the annexation of property known as 3320 Maybank Highway (approx. 2.278 acre) (TMS# 279-00-00-029), 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 1108 St Gregory St, LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)
8. An ordinance to provide for the annexation of property known as 1720 Pinecrest Road (0.22 acre) (TMS# 351-12-00-038), 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 Elizabeth White. (DEFERRED)
9. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Ashley River Road (West Ashley) (1.53 acres) (TMS #354-12-00-004) (Council District 2), be rezoned from Single-Family Residential (SR-1) classification to Limited Business (LB) classification. The property is owned by Laura M. Smith. (DEFERRED)

10. *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)*
11. *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)*
12. *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)*
13. *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)*

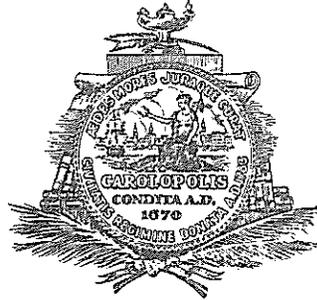
M. Bills up for First Reading

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 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)
2. 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)

N. Miscellaneous Business:

1. The next regular meeting of City Council will be Tuesday, October 13, 2020 at 5:00 p.m.

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



PROCLAMATION

WHEREAS, **VANESSA TURNER MAYBANK** began her career in Charleston, South Carolina when she was hired by Cernette J. Clardy, Jr. to work in the College of Charleston's Office of Institutional Advancement; and

WHEREAS, **VANESSA TURNER MAYBANK** was later appointed by former Mayor Joseph P. Riley, Jr. to serve as the City of Charleston's first-ever Director of Tourism. In that role, she worked to balance the needs of the city's residents and visitors through a comprehensive tourism management program, which afforded her the opportunity to teach best practices and deliver speeches nationally and abroad; and

WHEREAS, in 1996, Mayor Riley appointed **VANESSA TURNER MAYBANK** the city's first African American Clerk of Council, a position she now holds with Mayor John J. Tecklenburg. Additionally, she has served as an Adjunct Professor of Hospitality and Tourism at the College of Charleston and Johnson and Wales University; and

WHEREAS, in her current role, **VANESSA TURNER MAYBANK** acts as the liaison between the Mayor, City Council, City Departments and constituents on issues pertaining to City ordinances and doctrine, oversees the Clerk of Council Department and Records Management Division, and serves as the Mayor's designee to various boards and commissions; and

WHEREAS, **VANESSA TURNER MAYBANK** has served on numerous boards and commissions, including the Board of Directors of the South Carolina Municipal Clerks Association and the International Institute of Municipal Clerk Ethical Standards Committee; and

WHEREAS, an active member of the Mount Moriah Missionary Baptist Church, **VANESSA TURNER MAYBANK** has served as the President of the Women's Auxiliary, and as Vice Chair of the Pastoral Search Committee and the Constitution and Bylaws Committee. Additionally, she was among the first recipients of the *Mt. Moriah Missionary Baptist Church Image Award*; and

WHEREAS, as a Life Member of Alpha Kappa Alpha, Sorority, Inc., and the Gamma Xi Omega chapter, **VANESSA TURNER MAYBANK** has served as President of the organization, and in various other leadership positions; and

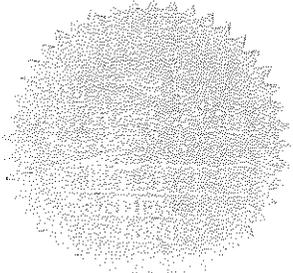
WHEREAS, **VANESSA TURNER MAYBANK** is the proud mother of Alexander T. Maybank and holds a Bachelor of Arts degree in Journalism from the University of South Carolina, with further graduate study in Mass Communications at USC. She also received a Master's Degree in Management from Webster University after moving to Charleston; and

WHEREAS, **VANESSA TURNER MAYBANK** is a dedicated and truly remarkable public servant with a trailblazing spirit. The city of Charleston would like to thank her for her decades of service to the city and all its citizens and visitors, and wish her the best in her well-deserved retirement.

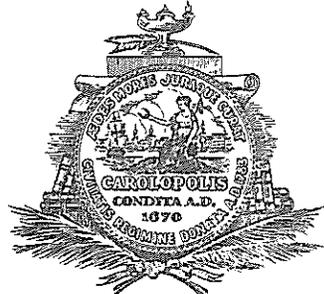
NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim September 22, 2020 as:

VANESSA TURNER MAYBANK DAY

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 22nd day of September in the year of 2020.



John J. Tecklenburg, Mayor



PROCLAMATION

WHEREAS, Hispanic Heritage Month celebrates the contributions Americans tracing their roots to Spain, Mexico, Central America, South America and the Spanish-speaking nations of the Caribbean have made to American society and culture; and

WHEREAS, the observance began in 1968 as National Hispanic Heritage Week under President Lyndon B. Johnson, and was enacted into federal law and expanded to a month-long celebration under President Ronald Reagan on August 17, 1988, calling upon all the people of the United States to observe this time with ceremonies, activities, and programs; and

WHEREAS, September 15 – October 15, recognized as National Hispanic Heritage Month, always starts on September 15, a historically significant day that marks the anniversary of the independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. The designated period is also a nod to those from Mexico and Chile, which celebrate their independence on September 16 and September 18, respectively; and

WHEREAS, Hispanic and Latino Americans serve as corporate, military, civic and clergy leaders, as educators, journalists, civil rights and community organizers and first responders, and as pioneers in art, science, medicine and so much more; and

WHEREAS, Hispanic and Latino Americans have shaped our national character with centuries-old traditions that reflect the multi-ethnic and multicultural customs of their communities, while adding their own distinct and dynamic perspectives to the historical narrative of our nation; and

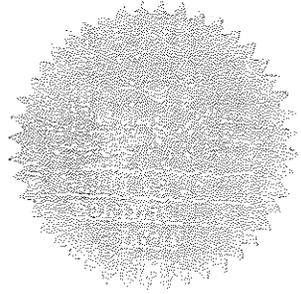
WHEREAS, Hispanic and Latino Americans represent a significant and fast growing demographic of our nation, we honor the invaluable ways they contribute to a stronger, more inclusive and prosperous city of Charleston.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim September 15, 2020 through October 15, 2020 as:

HISPANIC HERITAGE MONTH IN THE CITY OF CHARLESTON

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 22nd day of September in the year of 2020.

John J. Tecklenburg, Mayor



PUBLIC HEARING (ADDENDUM)

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, September 22, 2020 beginning at 5:00 p.m., via Conference Call # 1-929-205-6099, Access Code **912 096 416**, on the request that the Zoning Ordinance of the City of Charleston be changed in the below respects.

The public may participate using one of the following options:

Requests to speak at the meeting and comments must be received by 12:00 p.m., Tuesday, September 22nd:

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

The following applications will be considered in addition to other applications advertised separately:

REZONINGS

1. To rezone property located on Sheppard Street (Harleston Village – Peninsula) (Approx. 1.386 acres) (TMS # 460-04-04-074, 078, 080, 086) from General Business (GB), Limited Business (LB) and Accommodations Overlay classifications to Planned Unit Development (PUD) (Sheppard Street) classification.
2. To rezone 2421 Ashley River Rd (Pierpont - West Ashley) (Approx. 8.04 acres) (TMS # 355-16-00-025, 026, 027) from General Business (GB) classification to Diverse Residential (DR-1F) classification.
3. To rezone 2 Race St (*Westside – Peninsula*) (Approx. 0.46 acres) (TMS # 460-04-01-103) from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification and from Old City Height District 2.5 to Old City Height District 3.

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 Friday, September 11, 2020. Charge account PC103190.

Please insert as a Display Ad in the Charleston Chronicle on Wednesday, September 16, 2020.

Please provide an affidavit of publication for all public hearings.

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, September 22, 2020 beginning at 5:00 p.m., via Conference Call # 1-929-205-6099, Access Code **912 096 416**, on the request that the Zoning Ordinance of the City of Charleston be changed in the below respects. The public may participate using one of the following options:

Requests to speak at the meeting and comments must be received by 12:00 p.m., Tuesday, September 22nd:

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

REZONINGS

1. To rezone 1814 Harmon Street (*Four Mile Hibernian*) (Approx. 2.1 acres) (TMS # 464-02-00-052) from General Business (GB) classification to Light Industrial (LI) classification.
2. To rezone property located at Morrison Drive, Romney Street & North Romney Street (Approx. 196.1 acres) (*Laurel Island - Peninsula*) (TMS # 464-00-00-006, 002, 023, 038, 459-02-00-013, & 461-13-03-024) from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) classifications to Planned Unit Development (PUD) (Laurel Island) classification.

ZONINGS

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

1. 2444 Quail Hollow Court (*Pierpont - West Ashley*) (Approx. 0.09 acre) (TMS # 355-16-00-069) Diverse Residential (DR-1).
2. 2229 Weepoolow Trail (*Ashley Hall Plantation - West Ashley*) (Approx. 0.32 acre) (TMS # 353-12-00-017) Single-Family Residential (SR-1).
3. 1551 North Pinebark Lane (*North Pinepoint - West Ashley*) (Approx. 0.22 acre) (TMS # 353-15-00-037) of Single-Family Residential (SR-1).

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, September 6, 2020. Charge account PC103190.

Please insert as a Display Ad in the Charleston Chronicle on Wednesday, September 9, 2020.
Please provide an affidavit of publication for all public hearings.

CITY OF CHARLESTON PLANNING COMMISSION

MEETING OF AUGUST 19, 2020

A meeting of the City of Charleston Planning Commission was held at 5:00 p.m., on Wednesday, August 19, 2020 via Zoom Webinar. A recording of the meeting can be viewed on YouTube at the following link: <https://www.youtube.com/watch?v=w1m6KaS6UzY>. The following applications were considered:

REGULAR MEETING

REZONINGS

1. **2421 Ashley River Rd (Pierpont - West Ashley) TMS # 3551600025, 026 & 027** – approx. 8.04 ac. Request rezoning from General Business (GB) to Diverse Residential (DR-1F).

RECOMMEND APPROVAL (6-0)

2. **1814 Harmon St (Four Mile Hibernian) TMS # 4640200052** – approx. 2.1 ac. Request rezoning from General Business (GB) to Light Industrial (LI).

RECOMMEND APPROVAL (6-0)

3. **2 Race St (Westside – Peninsula) TMS # 4600401103** – approx. 0.46 ac. Request rezoning from General Business (GB) to Mixed-Use/Workforce Housing (MU-1/WH) and from Old City Height District 2.5 to Old City Height District 3.

RECOMMEND APPROVAL (7-0)

4. **Morrison Dr, Romney St & N Romney St (Laurel Island - Peninsula) TMS # 4640000006, 002, 023, 038, 4590200013, & 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).

RECOMMEND APPROVAL WITH CONDITIONS (7-0)

ZONINGS

1. **2444 Quail Hollow Ct (Pierpont - West Ashley) TMS # 3551600069** – approx. 0.09 ac. Request zoning of Diverse Residential (DR-1). Zoned Office General (OG) in Charleston County.

RECOMMEND APPROVAL (7-0)

2. **2229 Weepoolow Tr (Ashley Hall Plantation - West Ashley) TMS # 3531200017** – approx. 0.32 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMEND APPROVAL (7-0)

3. **772 Yaupon Dr (Cainhoy) TMS # 2630004038** – approx. 2.31 ac. Request zoning of Rural Residential (RR-1). Zoned Rural Single-Family Residential (R1-R) in Berkeley County.

DEFERRED BY APPLICANT

4. **1551 N Pinebark Ln (N Pinepoint - West Ashley) TMS # 3531500037** – approx. 0.22 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMEND APPROVAL (7-0)



Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON SHEPPARD STREET (PENINSULA) (APPROXIMATELY 1.386 ACRES) (TMS #460-04-04-074, 460-04-04-078, 460-04-04-080 AND 460-04-04-086) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION AND LIMITED BUSINESS (LB) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION (SHEPPARD STREET PUD) WITH THE PLANNED UNIT DEVELOPMENT GUIDELINES ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE TO SERVE AS THE DEVELOPMENT PLAN FOR SUCH PROPERTY AND REMOVING THE ACCOMMODATIONS OVERLAY ZONE (A) CLASSIFICATION. THE PROPERTY IS OWNED BY KING AND SHEPPARD PARTNERS, LLC; SHEPPARD PARKING LLC; AND LOWCOUNTRY MARKETING GROUP, LLC. (AS AMENDED)

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 General Business (GB) classification and Limited Business (LB) classification to Planned Unit Development (PUD) classification (Sheppard Street PUD), with the Planned Unit Development Guidelines attached hereto and incorporated herein by reference to serve as the development plan for such property, and removing the Accommodations Overlay Zone (A) classification.

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

Sheppard Street (Peninsula) (approximately 1.386 acres) (TMS #460-04-04-074, 460-04-04-078, 460-04-04-080 and 460-04-04-086)

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 the
Independence of the United States of America.

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

ATTEST: By: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 2

Sheppard St PUD (Peninsula)

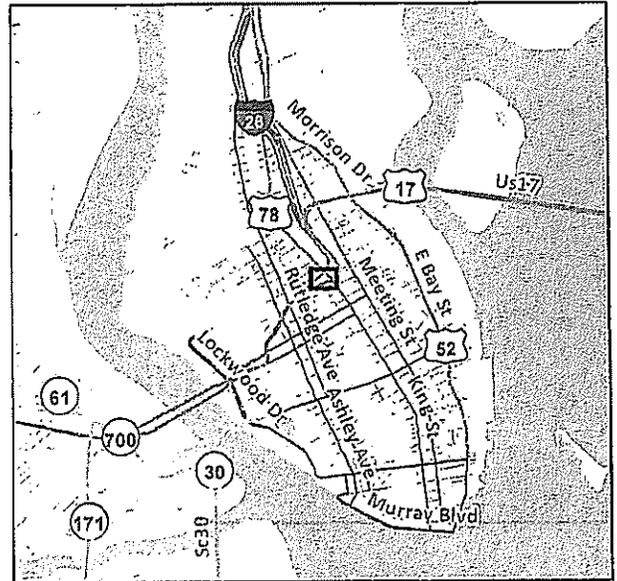
TMS # 4600404074, 078, 080, 086

approx. 1.386 ac.

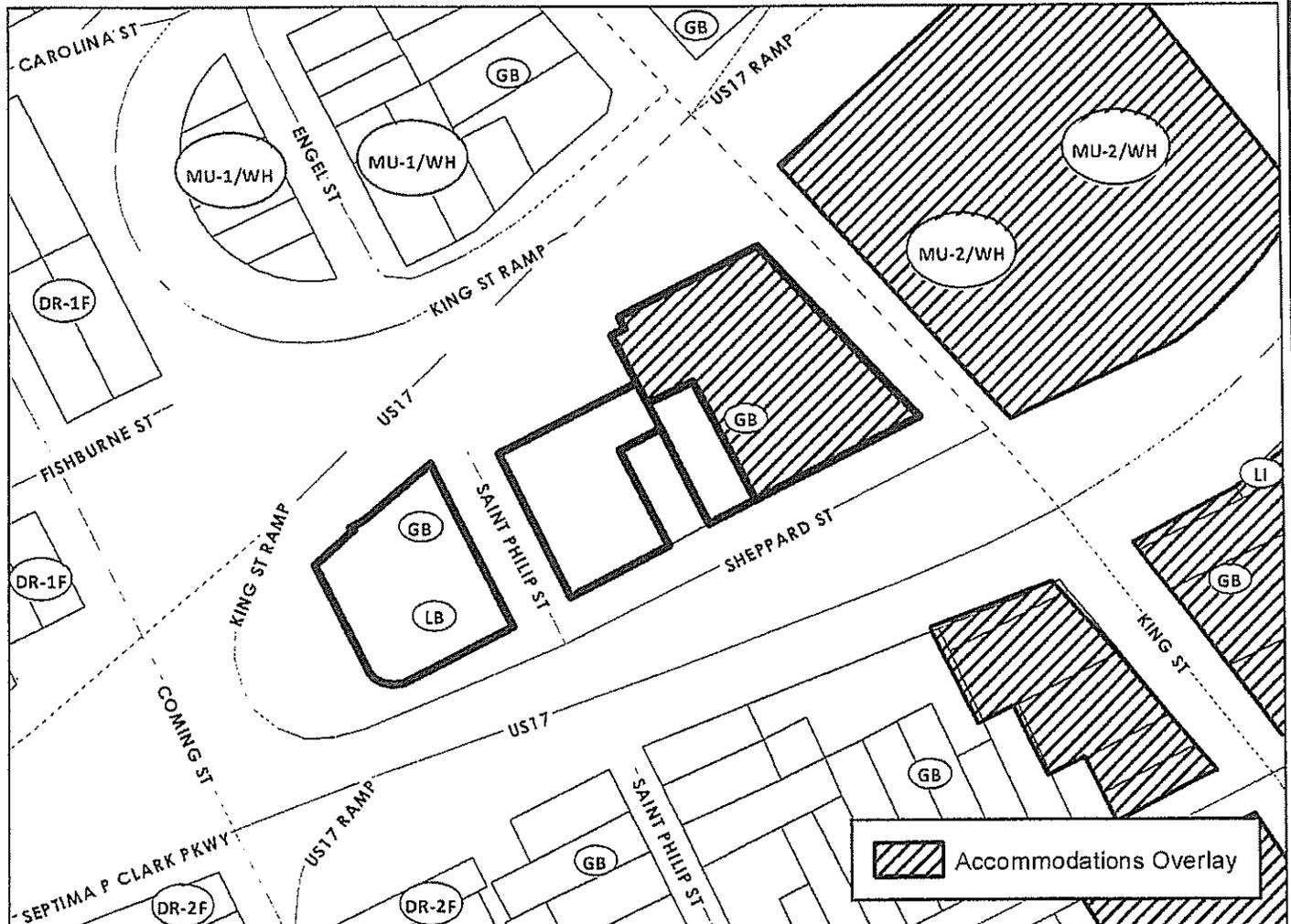
Request rezoning from General Business (GB),
Limited Business (LB) and Accommodations Overlay
to Planned Unit Development (PUD) (Sheppard St).

Owner: King and Sheppard Partners, LLC;
Sheppard Parking LLC; and Lowcountry Marketing
Group, LLC

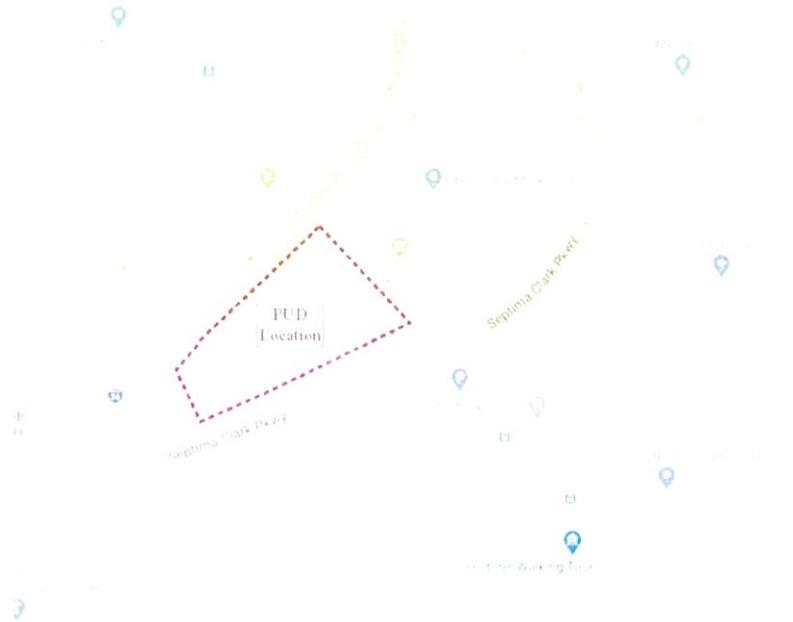
Area



Location



**SHEPPARD STREET
PLANNED UNIT DEVELOPMENT (PUD)
DEVELOPMENT GUIDELINES**



OWNERS:

King and Sheppard Partners, LLC, Sheppard Parking LLC, and Lowcountry Marketing Group, LLC

PREPARED BY:

**Womble Bond Dickinson (US) LLP
Bello Garris Architects
Forsberg Engineering and Surveying, Inc.**

Development Guidelines for Sheppard Street PUD

1. Relationship to the Official Zoning Ordinance

The Development Guidelines and Land Use Plan attached hereto and made a part hereof for the Sheppard Street Planned Unit Development (“**Sheppard Street PUD**”) are part of the PUD Conditional Use Master Plan Application submitted in accordance with the Zoning Ordinances of the City of Charleston, Article 2, Part 7, Sections 54-250, et seq. The Zoning Ordinance of the City of Charleston is incorporated herein by reference, except as amended herein.

No person shall erect or alter any building, structure or sign on any tract of land or use any tract of land within the Sheppard Street PUD except in conformance with these guidelines and regulations. Unless modified herein, definitions of terms used in the Sheppard Street PUD Development Guidelines shall follow definitions listed in the Zoning Ordinances of the City of Charleston, as amended from time to time. Administration and enforcement of the adopted The Sheppard Street PUD Development Guidelines shall follow Article 9 of the Zoning Ordinance of the City of Charleston.

The Sheppard Street PUD was approved by Charleston City Council on _____, 2020, Ordinance Number _____.

2. Introduction

2.1 *Project Location*

The site is located in downtown Charleston bounded by Sheppard Street to the South, King Street to the East, and the Septima Clark Parkway to the North and West. The property is located within areas designated as Urban and Urban Core under the Century V Update to the City’s Comprehensive Plan.

2.2 *Area*

The property contains in aggregate approximately 1.386 acres.

2.3 *TMS No.s* 460-04-04-074 (known as 677 King Street, owned by King and Sheppard Partners, LLC), 460-04-04-078 and 460-04-04-080 (known as 82, 86, and 88 Sheppard Street and 264 and 266 St. Philip Street, owned by Sheppard Parking LLC), 460-04-04-086 (known as 90, 92 and 94 Sheppard Street and 285 and 287 St. Philip Street, owned by Lowcountry Marketing Group, LLC), and a portion of St. Philip Street.

2.4 *Owners and Developers* are King and Sheppard Partners, LLC, Sheppard Parking LLC, and Lowcountry Marketing Group, LLC.

Development Guidelines for Sheppard Street PUD

2.5 *Current Zoning*

The current zoning is General Business (GB) District (other than one building site zoned Limited Business (LB) District), which is intended to permit a broad range of commercial uses and activities in urban areas of the city.

The parcel identified as TMS No. 460-04-04-074 (known as 677 King Street, owned by King and Sheppard Partners, LLC) is also within the Accommodations Overlay Zone, A-1, allowing for a fifty (50) room hotel.

2.6 *Background Information*

The site is located in the middle of the junction of the Septima Clark Parkway (Highway 17) and the beginning of Interstate 26. It is straddled on both sides by the ramps leading to the elevated highway and is effectively cut off from the neighborhoods to the south, north, and west.

The City of Charleston (“City”) is nearing completion of its drainage system project at the western end of the site. This drainage shaft area will remain open as an access point for maintenance of the drainage facilities.

A half-block stub portion of St. Philip Street extends northwards from Sheppard Street within the site but does not connect to any other street.

The buildings on the site have been vacant for the past two years. They were most recently used for student rentals. Some of the buildings are in need of extensive repair to be habitable again. Several of the buildings date from the early 1900’s, when Sheppard Street was first developed. The historic building at 94 Sheppard Street is in a severely deteriorated condition and will require a complete restoration.

2.7 *Development Summary*

The proposed initial redevelopment plan for the site includes (1) construction of a new mixed use building fronting on King Street with parking in the rear, and (2) restoration of the older residential buildings currently located along Sheppard Street and St. Philip Street.

The proposed new building fronting on King Street is intended for office, retail, or other uses as allowed in the General Business (GB) zoning district. This portion of the site is currently a vacant lot.

The older buildings along Sheppard Street and St. Philip Street are in need of extensive repairs and restoration. These older buildings are intended to be restored, and one of the existing buildings may be relocated on-site as part of a cluster of buildings with a central driveway alley and area for parking or private open space. These buildings are intended to be used for accommodations use with up to thirty

Development Guidelines for Sheppard Street PUD

(30) units, or longer term residential or other permitted use. To allow for this accommodations use, the portion of the site fronting on King Street which is currently within the Accommodations Overlay Zone permitting a fifty (50) room hotel would be removed from the Accommodations Overlay Zone, and the portion of the site at the west end would be permitted to have not more than thirty (30) accommodations units.

In connection with re-orienting the existing buildings, property lines within the site would be adjusted, and the stub portion of St. Philip Street would be abandoned by the City (after the SC Department of Transportation conveys its interest to the City) as it would no longer be needed for access to individual lots and will allow for more efficient access and parking.

2.8 *Goals for the Project*

The Sheppard Street PUD is designed to re-establish a vibrant, mixed use development area within a block of the city that was effectively cut off from surrounding neighborhoods long ago by the interchange of Highway 17 and Interstate 26. Among other benefits, the proposed project would restore historic buildings, add new office and other commercial space on a vacant portion of King Street, and reduce the allowed number of accommodations/hotel units on the overall site from fifty (50) to thirty (30) units. Because of the location, surrounding highway ramps, size, shape, and other constraints of the site, the Sheppard Street PUD is an appropriate zoning designed to provide the flexibility to achieve these goals.

3. Land Use

3.1 *Development Pods*

The Sheppard Street PUD consists of two development pods: (1) the Mixed Use Area and (2) the Accommodations/Residential Area, as set forth on the Land Use Plan attached hereto.

3.2 *Area Breakdown (approximate calculations)*

Mixed Use Area	1.061 Ac
<u>Accommodations/Residential Area</u>	<u>0.325 Ac</u>
Gross Area	1.386 Ac

Development Guidelines for Sheppard Street PUD

3.3 Net Density and Maximum Number of Units Allowed

Mixed Use Area:

Commercial Uses: As allowed under General Business (GB) zoning.

Maximum Residential Dwelling Units Allowed: 46
(Approximate Density: $46,217 \text{ SF} \div 46 = 1005 \text{ SF/unit}$)

Accommodations/Residential Area:

Maximum Accommodations Units Allowed: 30

Maximum Residential Dwelling Units Allowed: 11
(Approximate Density: $14,157 \text{ SF} \div 11 = 1,287 \text{ SF/unit}$)

Any and all conveyances of any portion of the Mixed Use Area or Accommodations/Residential Area subject to the unit density limitations set forth above shall, within the deed of conveyance or other instrument running with the land, assign a precise whole number of permitted residential dwelling units and accommodations units. The owner shall record the same in the office of the Charleston County Register of Deeds.

4. Zoning Criteria

All applicable regulations of the Zoning Ordinance for the base General Business (GB) zoning district shall remain in effect except as modified by these Development Guidelines.

4.1 *Permitted Uses:* All uses permitted under the base General Business (GB) zoning district shall be permitted in the Sheppard Street PUD. In addition, accommodations uses, not to exceed thirty (30) units in aggregate, shall be permitted within the Accommodations/Residential Area. Sections 54-204.3 and 54-220 of the Zoning Ordinance of the City of Charleston shall not apply to the Accommodations/Residential Area. No accommodations use shall be permitted within the Mixed Use Area. The primary intended uses within each area shall be as provided in the Land Use Plan attached hereto, provided that ancillary uses shall not be prohibited, and provided that all uses permitted under the base General Business (GB) zoning district shall be permitted in the Accommodations/Residential Area.

4.2 *Types of dwelling units allowed:* Single-family detached, single-family attached, duplex, two-family, townhouse, or multi-family.

4.3 *Minimum lot size per dwelling unit:* No minimum lot size per dwelling unit, but see maximum aggregate number of residential units above.

Development Guidelines for Sheppard Street PUD

- 4.4 *Minimum lot frontage requirements*: No change to base General Business (GB) zoning district regulations.
- 4.5 *Minimum setbacks*: None.
- 4.6 *Maximum lot occupancy*: None.
- 4.7 *Maximum and minimum height (height district)*: No change to existing Old City Height Districts (Height District 5 and Height District 2.5) as applicable to respective portions of the site.
- 4.8 *Accessory buildings*: No change to base General Business (GB) zoning district regulations.
- 4.9 *Parking requirements*:
- i. Parking for commercial uses as provided under base General Business (GB) zoning district regulations.
 - ii. One (1) off-street parking space per residential dwelling unit.
 - iii. Two (2) off-street parking spaces per every three (3) accommodations units (rounded up to nearest whole number).
- 4.10 *Loading dock requirements for commercial uses*: No change to base General Business (GB) zoning district requirements.

5. Open Space

The existing site does not include any dedicated open space and is less than ten (10) acres, therefore not required to include a percentage of open space.

6. Buffers

- 6.1 *Required Landscape Buffers*: No change to base General Business (GB) zoning district regulations for any required landscape buffers.
- 6.2 *Critical Line Buffer*: There is no critical line on the property.
- 6.3 *Elective Buffers*: No elective landscape buffers are contemplated for this urban site.
- 6.4 *Ownership and Maintenance*: Any applicable landscape buffer areas will be owned and maintained by the owner of the applicable parcel.

Development Guidelines for Sheppard Street PUD

7. Tree Summary

7.1 *Summary of existing conditions:*

There are a number of trees on the site as shown on the attached survey of existing conditions.

7.2 *Protection Standards / Plan:*

Development of the site will comply with City tree protection requirements or variances and any conditions imposed thereto.

8. Right-of-Way

8.1 *Public Right-of-Way:* King Street and Sheppard Street, existing public rights of way, provide vehicular street access and pedestrian sidewalk access to all parcels within the site. No new public or private streets are planned for the site.

8.2 *Driveways.* Internal driveways will be owned and maintained by the owner of the applicable parcel and, if applicable, will comply with any requirements to accommodate emergency vehicles and public service vehicles.

9. Drainage Basin Analysis

9.1 *Flood Zone:*

Flood Zone X (per flood map # FM 45019C0512J). [The preliminary FIRM proposes a Flood Zone X utilizing the NA VD88 datum as opposed to the currently utilized NGVD29 datum. Per FEMA, preliminary data, including new or revised FIRMs, are not final. Preliminary data are for review and guidance purposes only. Preliminary data and maps are subject to change.]

9.2 *Topography:*

Please see the Topographic Survey, attached hereto.

9.3 *Stormwater Drainage:*

Stormwater will drain from the site into the existing drainage system running along Sheppard Street and King Street. Plans for internal stormwater detention systems for development of the initial proposed building and parking lot within the Mixed Use Area have been approved by the City for the building and submitted for the parking lot and will be implemented in accordance with applicable City of Charleston and DHEC/OCRM guidelines.

Development Guidelines for Sheppard Street PUD

9.4 *Wetlands Verification:*

No wetlands are located on the property.

10. **Traffic Study:**

The Traffic Study for the property is attached hereto.

11. **Cultural Resources:**

11.1 *Site History and Cultural Resources:*

This portion of Sheppard Street was originally developed in the early 1900's, principally as rental housing. The existing structures at 86, 90, and 94 Sheppard Street all date from this time period. The portion of the site fronting on King Street was used at that time for commercial purposes, with stores, groceries, and the like. Construction of the surrounding highways began in the 1960's, effectively isolating Sheppard Street from the adjacent neighborhoods from that point onward.

11.2 *Redevelopment Plan and Preservation:*

The proposed redevelopment of the site pursuant to the Sheppard Street PUD is intended to allow for the restoration of several older structures within the site and to re-establish a vibrant, mix of uses in the area.

12. **Utilities/Services/Letters of Coordination**

Water & Sewer	Water and sewer are presently available at the site boundaries, provided by Charleston Water System. Please see letter attached.
Electricity & Gas	Electric and gas service are presently available at the site boundaries, provided by Dominion Energy. Please see letter attached.
Communications	Telephone, cable, and internet service are presently available at the site boundaries, provided by AT&T. Please see letter attached.

Development Guidelines for Sheppard Street PUD

Exhibits:

1. Aerial Photograph with tax map parcel boundaries
2. Recorded Plats
3. Topographic Survey
4. Land Use Plan
5. Traffic Study
6. Utility Letters

Exhibit 1 – Aerial Photograph

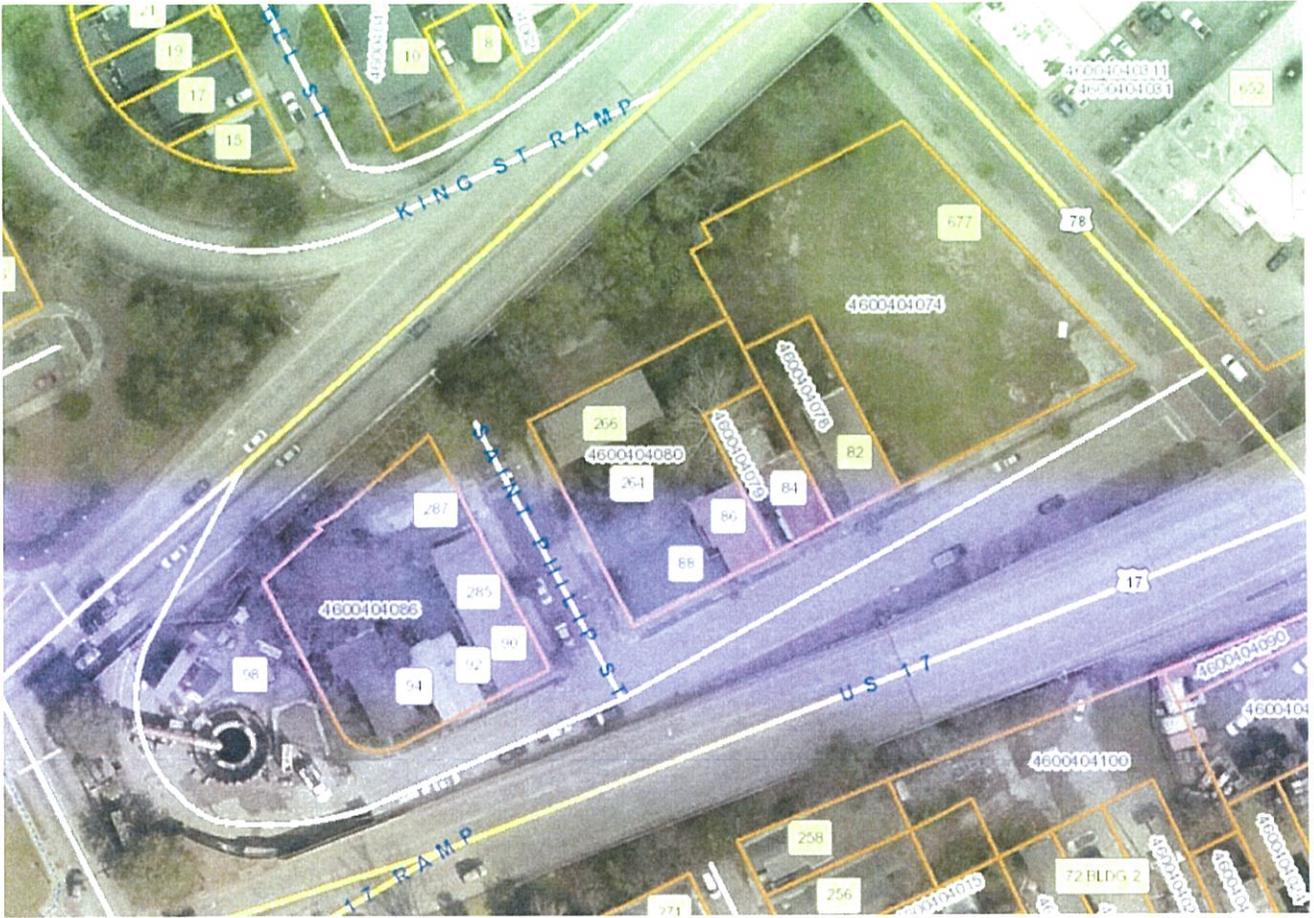


Exhibit 5 – Traffic Study

Submitted under separate cover.

Development Guidelines for Sheppard Street PUD

Exhibit 6 – Utility Letters

Development Guidelines for Sheppard Street PUD



P.O. Box B
Charleston, SC 29402
103 St. Philip Street (29403)

(843) 727-6900
www.charlestonwater.com

Board of Commissioners
Thomas B. Pritchard, Chairman
David E. Rivers, Vice Chairman
William E. Koopman, Jr., Commissioner
Mayor John J. Tecklenburg (E-Office)
Council member Perry K. Waring (E-Office)

Officers
Kim Hill, P.E., Chief Executive Officer
Mark Line, P.E., Assistant Chief Executive Officer
Dorothy Hamison, Chief Administrative Officer
Wesley Ropp, CMAA, Chief Financial Officer
Russell Huggins, P.E., Capital Projects Officer

November 1, 2019

Marcy Nichols
Haynsworth Snider Boyd, P.A.
Via email: mnichols@hsblawfirm.com

Water and Sewer Availability to TMS460-04-04-074
Re: Commercial Multi Unit

This letter is to certify our willingness and ability to provide water and sewer service to the above referenced site in Charleston County, South Carolina. CWS currently has a 6" cast iron water main in the right of way on Sheppard St., a 10" ductile iron water main in the right of way on King St., an 8" vitrified clay gravity sewer main in the right of way on Sheppard St., and an 8" vitrified clay gravity sewer main in the right of way on King St.

It will of course be a developer responsibility to ensure there are adequate pressures and quantities on the existing mains to serve this site with domestic water fire flow and not negatively impact the existing developments. It will also be a developer's responsibility to ensure there is sufficient capacity in the existing mains to receive the newly proposed sewer flow. Please be advised any extensions or modifications to the infrastructure as well as any additional fire protection will be a developer's expense. All fees and cost associated with providing service to this site will be a developer expense and will be due prior to connection of any Charleston Water System's water system. This letter does not reserve capacity in the Charleston Water System infrastructure and it is incumbent upon the developer or his agent to confirm the availability herein granted past 12 months of this correspondence.

The Charleston Water System certifies the availability of service only insofar as its rights allow. Should access to our existing main mains be denied by appropriate governing authorities, the Charleston Water System will have no other option than to deny service.

This letter is not to be construed as a letter of acceptance for operation and maintenance from the Department of Health and Environmental Control.

If there are any questions pertaining to this letter, please do not hesitate to call on me at (843) 727-7118.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kendra Smith".

Kendra Smith
Charleston Water System

Development Guidelines for Sheppard Street PUD



PO Box B
Charleston, SC 29402
103 St. Philip Street (29403)

(843) 727-6800
www.charlestonwater.com

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Russell Huggins, P.E., Capital Projects Officer

November 1, 2019

Marcy Nichols
Haynsworth Sudder Boyd, P.A.
Via email: mnichols@hsblawfirm.com

Water and Sewer Availability to TMS: 460-04-04-078 and 080
Re: Commercial Single Unit

This letter is to certify our willingness and ability to provide water and sewer service to the above referenced site in Charleston County, South Carolina. CWS currently has a 6" cast iron water main in the right of way on Sheppard St, a 6" cast iron water main in the right of way on St. Philips St., an 8" vitrified clay gravity sewer main in the right of way on Sheppard St., and an 8" vitrified clay gravity sewer main in the right of way on St. Philip St.

It will of course be a developer responsibility to ensure there are adequate pressures and quantities on the existing mains to serve this site with domestic water fire flow and not negatively impact the existing developments. It will also be a developer's responsibility to ensure there is sufficient capacity in the existing mains to receive the newly proposed sewer flow. Please be advised any extensions or modifications to the infrastructure as well as any additional fire protection will be a developer's expense. All fees and cost associated with providing service to this site will be a developer expense and will be due prior to connection of any Charleston Water System's water system. This letter does not reserve capacity in the Charleston Water System infrastructure and it is incumbent upon the developer or his agent to confirm the availability herein granted past 12 months of this correspondence.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Kendra Smith".

Kendra Smith
Charleston Water System

Development Guidelines for Sheppard Street PUD



Commercial Letter of Availability

October 15, 2019

Taylor Norville
Atlantic South Development
1708-C Augusta St. #322
Greenville, SC 29605

Re: 677 King St. Charleston, SC 29403

Dear Mr. Norville:

I am pleased to inform you that Dominion Energy will be able to provide electric and gas service to the above referenced location. Electric and gas service will be provided in accordance with Dominion Energy General Terms and Conditions, other documents on file with the South Carolina Public Service Commission, and the company's standard operating policies and procedures. In order to begin engineering work for the project, the following information will need to be provided:

- 1.) Detailed utility site plan (AutoCAD format preferred) showing water, sewer, and storm drainage as well as requested service point/transformer location.
- 2.) Additional drawings that indicate wetlands boundaries, tree survey with barricade plan and buffer zones (if required), as well as any existing or additional easements will also be needed.
- 3.) Electric load breakdown by type with riser diagrams.
- 4.) Signed copy of this letter acknowledging its receipt and responsibility for its contents and authorization to begin engineering work with the understanding that Dominion Energy intends to serve the referenced project.

Dominion Energy construction standards and specifications are available upon request. For more information or questions, contact me by phone at (843) 576-8447 or at steven.morillo@dominionenergy.com.

Sincerely,

Steven M. Morillo
Account Manager

AUTHORIZED SIGNATURE:

DATE: 10-16-19

TITLE: Managing Member
King and SHEPPARD PARTNERS LLC

PHONE: 703-282-4777

Development Guidelines for Sheppard Street PUD



May 15, 2020

Taylor Norville
Atlantic South Development
1708-C Augusta St. #322
Greenville, SC 29605

Mr. Norville:

This letter is in response to your request for information on the availability of service at the proposed development at 82 Sheppard St in Charleston, SC 29403 (TM# 460-04-04-078) by AT&T.

This letter acknowledges that the above referenced address is located in an area served by AT&T. Any service arrangements for the new building will be subject to later discussions and agreements between the developer and AT&T. Please be advised that this letter is not a commitment by AT&T to provide service, but an acknowledgement that we have service in this area.

Please contact me at 843-745-4440 with any questions.

Thank you for contacting AT&T.

Sincerely,

A handwritten signature in black ink that reads "Henry Domingo".

Henry Domingo
OSP Design Engineer
AT&T Southeast



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 2421 ASHLEY RIVER ROAD (WEST ASHLEY) (APPROXIMATELY 8.04 ACRES) (TMS #355-16-00-025, 026 & 027) (COUNCIL DISTRICT 2), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO DIVERSE RESIDENTIAL (DR-1F) CLASSIFICATION. THE PROPERTY IS OWNED BY HOMES OF HOPE, INC..

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 General Business (GB) classification to Diverse Residential (DR-1F) classification.

Section 2. The property to be rezoned is described as follows:
2421 Ashley River Road (West Ashley) (approximately 8.04 acres) (TMS #355-16-00-025, 026 & 027)

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING

2421 Ashley River Rd (West Ashley)

TMS # 3551600025, 026 & 027

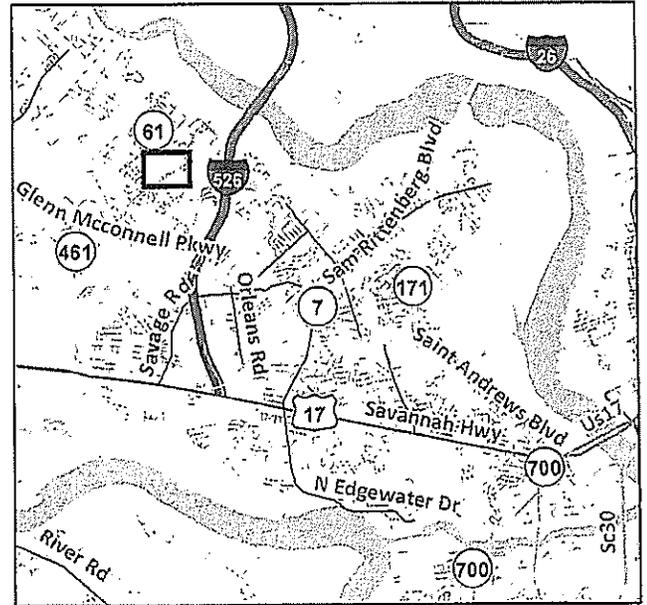
approx. 8.04 ac.

Request rezoning from General Business (GB) to Diverse Residential (DR-1F)

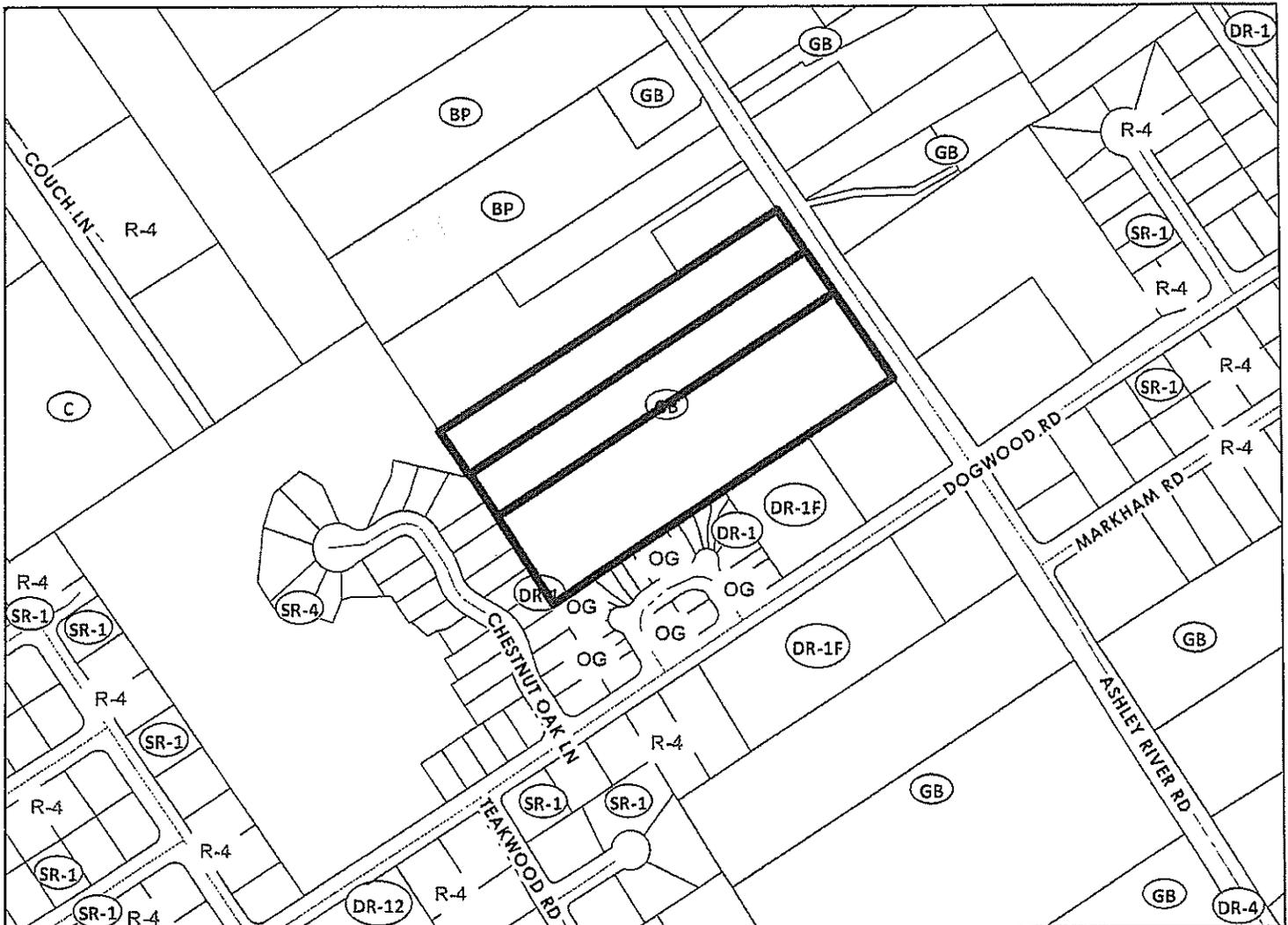
Owners: Homes of Hope, Inc.

Applicant: Seamon Whiteside & Associates

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2 RACE STREET (PENINSULA) (APPROXIMATELY 0.46 ACRE) (TMS #460-04-01-103) (COUNCIL DISTRICT 3), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-1/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY CHARLESTON LOCAL DEVELOPMENT CORPORATION.

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 General Business (GB) classification to Mixed-use/Workforce Housing (MU-1/WH) classification.

Section 2. The property to be rezoned is described as follows:
2 Race Street (Peninsula) (approximately 0.46 acre) (TMS #460-04-01-103)

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING

2 Race St (Peninsula)

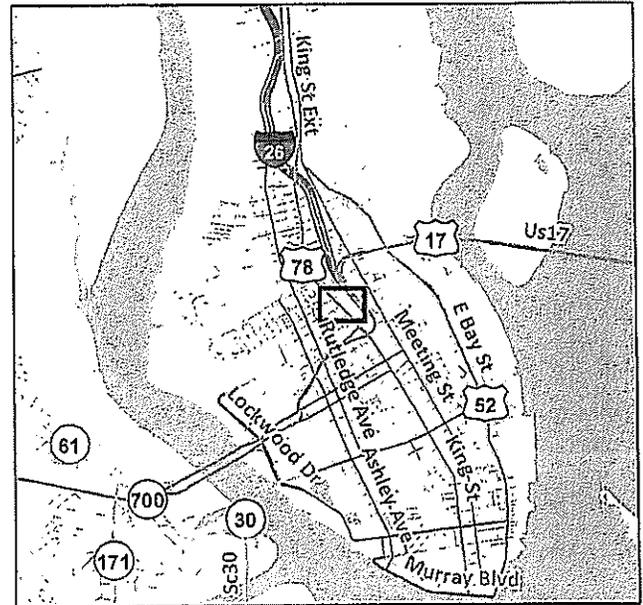
TMS # 4600401103

approx. 0.46 ac.

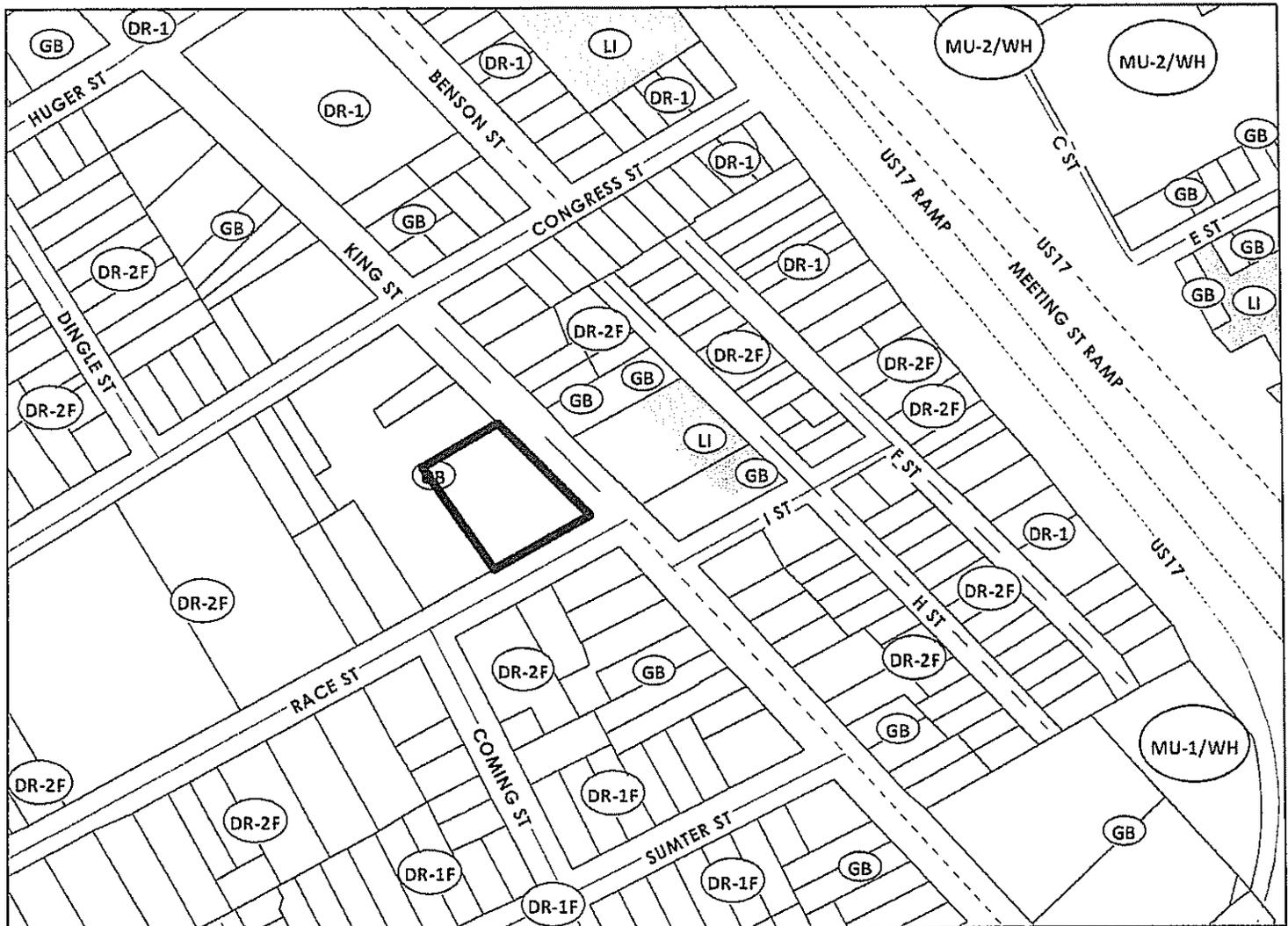
Request rezoning from General Business (GB) to Mixed-Use/Workforce Housing (MU-1).

Owner and Applicant: Charleston Local Development Corporation (LDC)

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2 RACE STREET (PENINSULA) (APPROXIMATELY 0.46 ACRE) (TMS #460-04-01-103) (COUNCIL DISTRICT 3), BE REZONED FROM 2.5 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION TO 3 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTY IS OWNED BY CHARLESTON LOCAL DEVELOPMENT CORPORATION.

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 2.5 Story Old City Height District classification to 3 Story Old City Height District classification.

Section 2. The property to be rezoned is described as follows:
2 Race Street (Peninsula) (approximately 0.46 acre) (TMS #460-04-01-103)

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING

2 Race St (Peninsula)

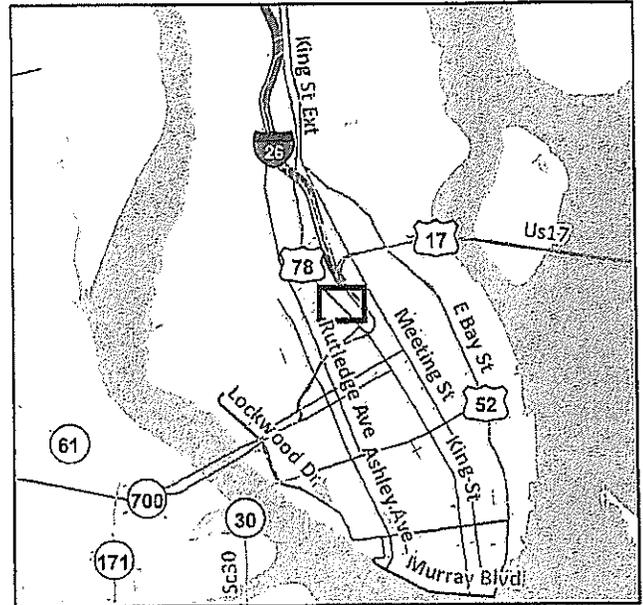
TMS # 4600401103

approx. 0.46 ac.

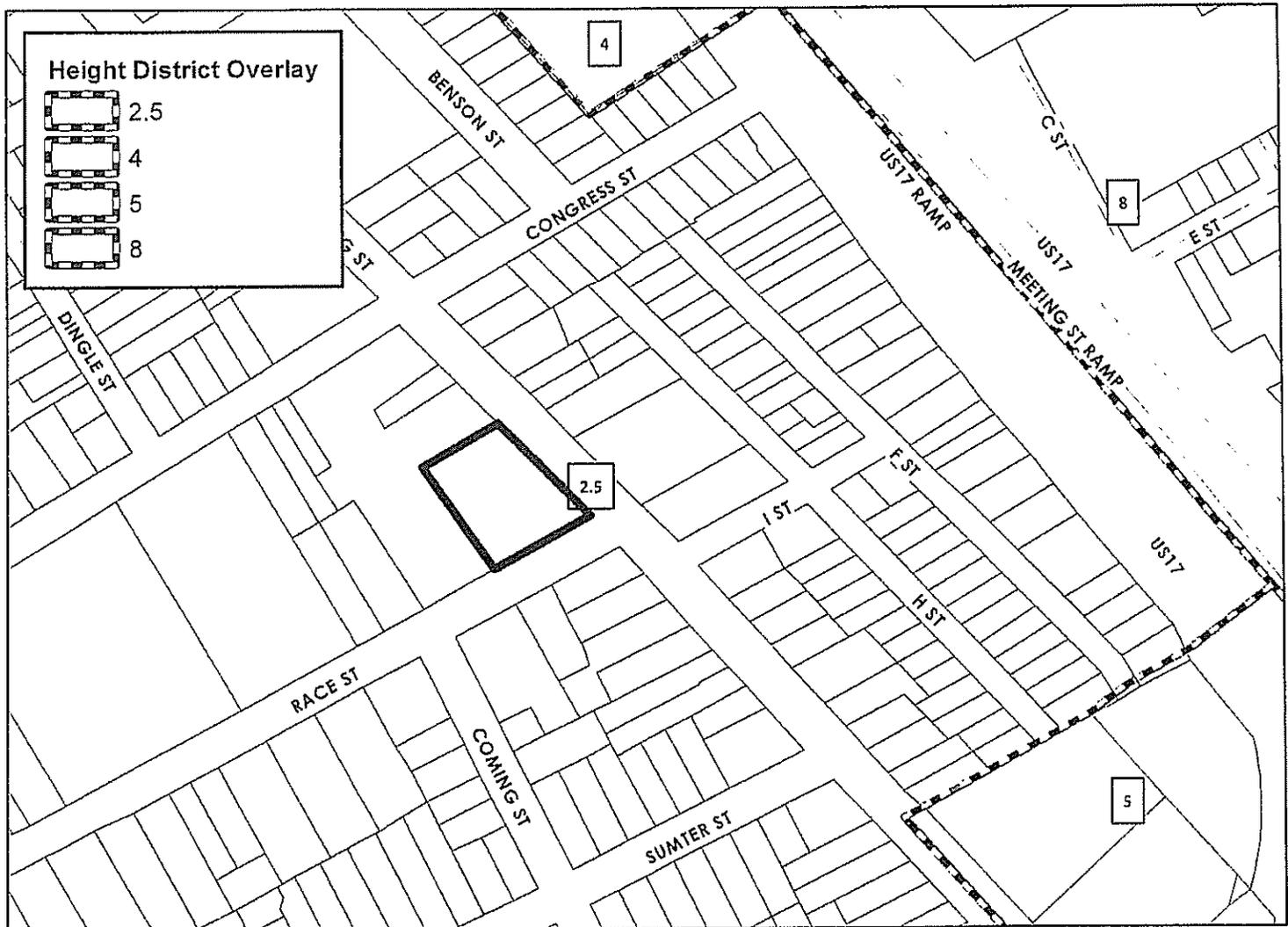
Request rezoning from Old City Height District 2.5 to
Old City Height District 3.

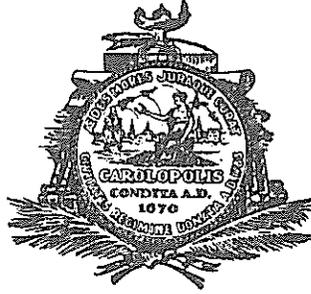
Owner and Applicant: Charleston Local Development
Corporation (LDC)

Area



Location





Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1814 HARMON STREET (PENINSULA) (APPROXIMATELY 2.1 ACRES) (TMS #464-02-00-052) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO LIGHT INDUSTRIAL (LI) CLASSIFICATION. THE PROPERTY IS OWNED BY J. GIBSON PROPERTIES, LLC.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from General Business (GB) classification to Light Industrial (LI) classification.

Section 2. The property to be rezoned is described as follows:
1814 Harmon Street (Peninsula) (approximately 2.1 acres) (TMS #464-02-00-052)

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 2

1814 Harmon St (Four Mile Hibernian)

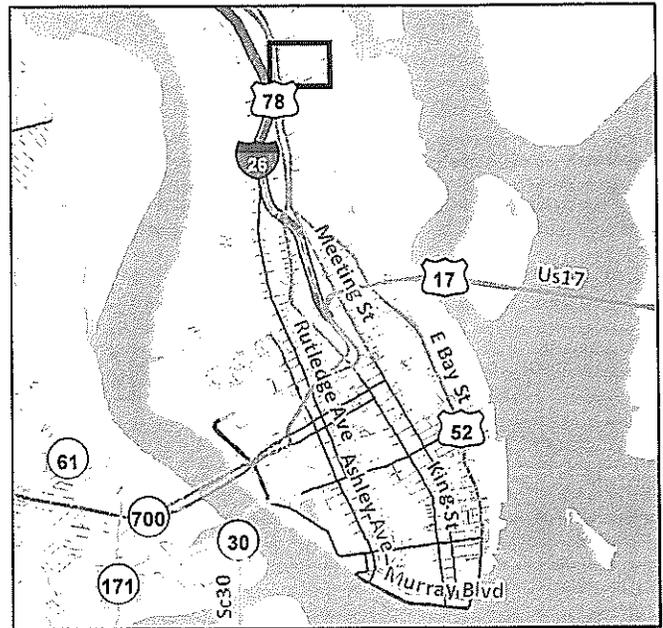
TMS # 4640200052

approx. 2.1 ac.

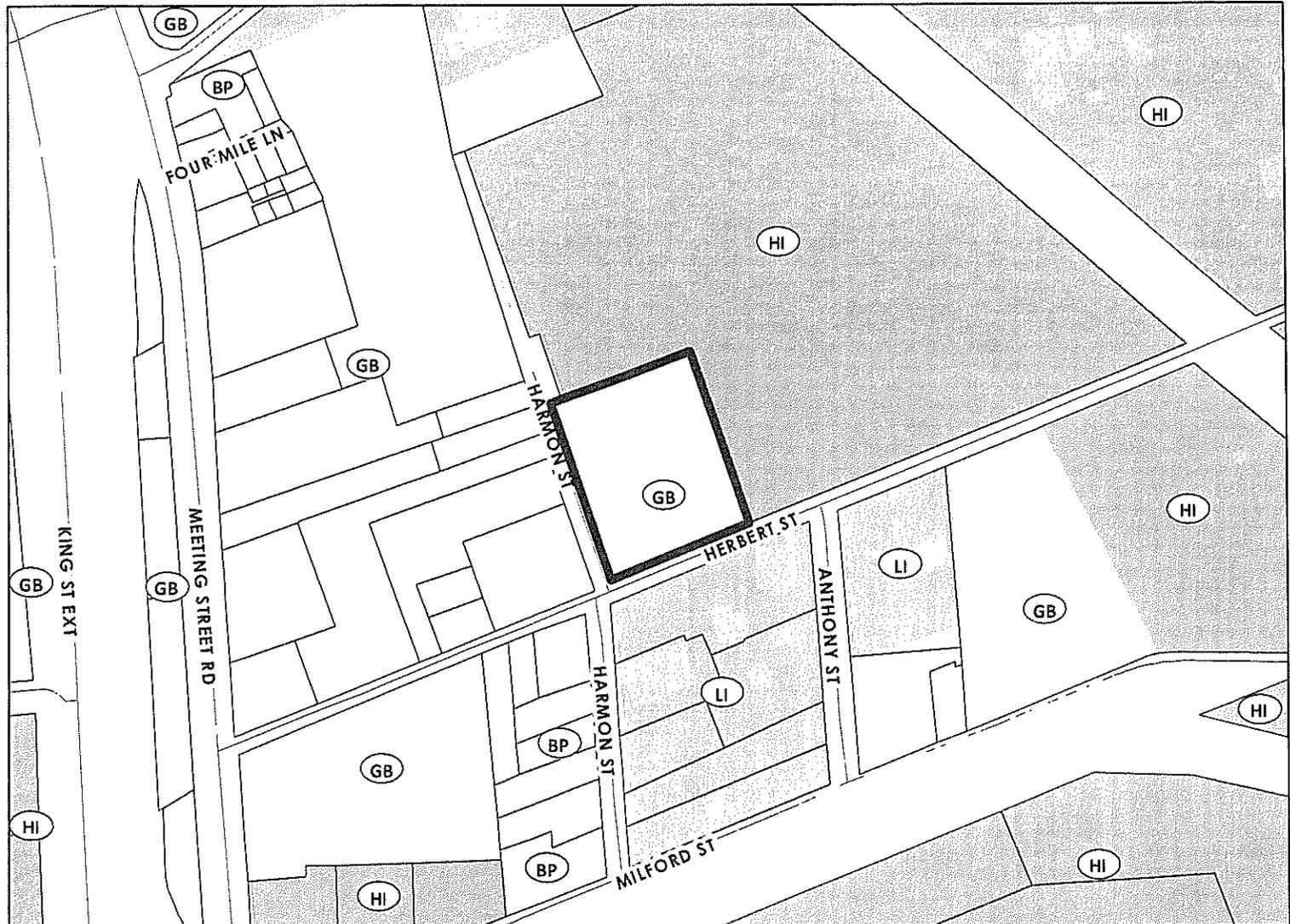
Request rezoning from General Business (GB)
to Light Industrial (LI).

Owner: J. Gibson Properties, LLC
Applicant: Tradd Varner

Area



Location



E6.)



Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES LOCATED ON MORRISON DRIVE, ROMNEY STREET AND NORTH ROMNEY STREET (LAUREL ISLAND) (APPROXIMATELY 196.1 ACRES) (TMS # 464-00-00-006, 002, 023, 038, 459-02-00-013, AND 461-13-03-024) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB), HEAVY INDUSTRIAL (HI), UPPER PENINSULA (UP) AND DIVERSE RESIDENTIAL (DR-3) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) (LAUREL ISLAND) CLASSIFICATION, WITH THE PLANNED UNIT DEVELOPMENT GUIDELINES ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE TO SERVE AS THE DEVELOPMENT PLAN FOR SUCH PROPERTY. THE PROPERTY IS OWNED BY CHARLESTON COUNTY AND LRA PROMENADE NORTH LLC.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) classification to Planned Unit Development (PUD) (Laurel Island) classification.

Section 2. The property to be rezoned is described as follows:
properties located on Morrison Drive, Romney Street and North Romney Street (Laurel Island) (approximately 196.1 acres) (TMS # 464-00-00-006, 002, 023, 038, 459-02-00-013, and 461-13-03-024)

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 4

Laurel Island

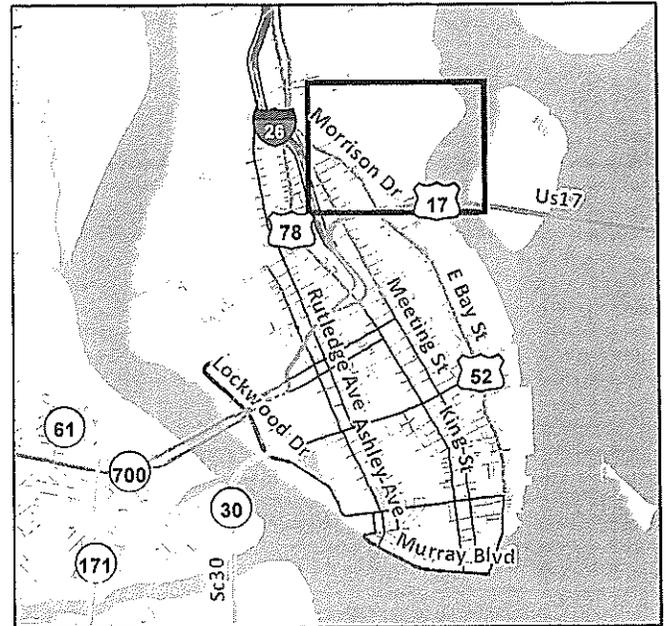
TMS # 4640000006, 002, 023, 038,
4590200013 & 4611303024

approx. 196.1 ac.

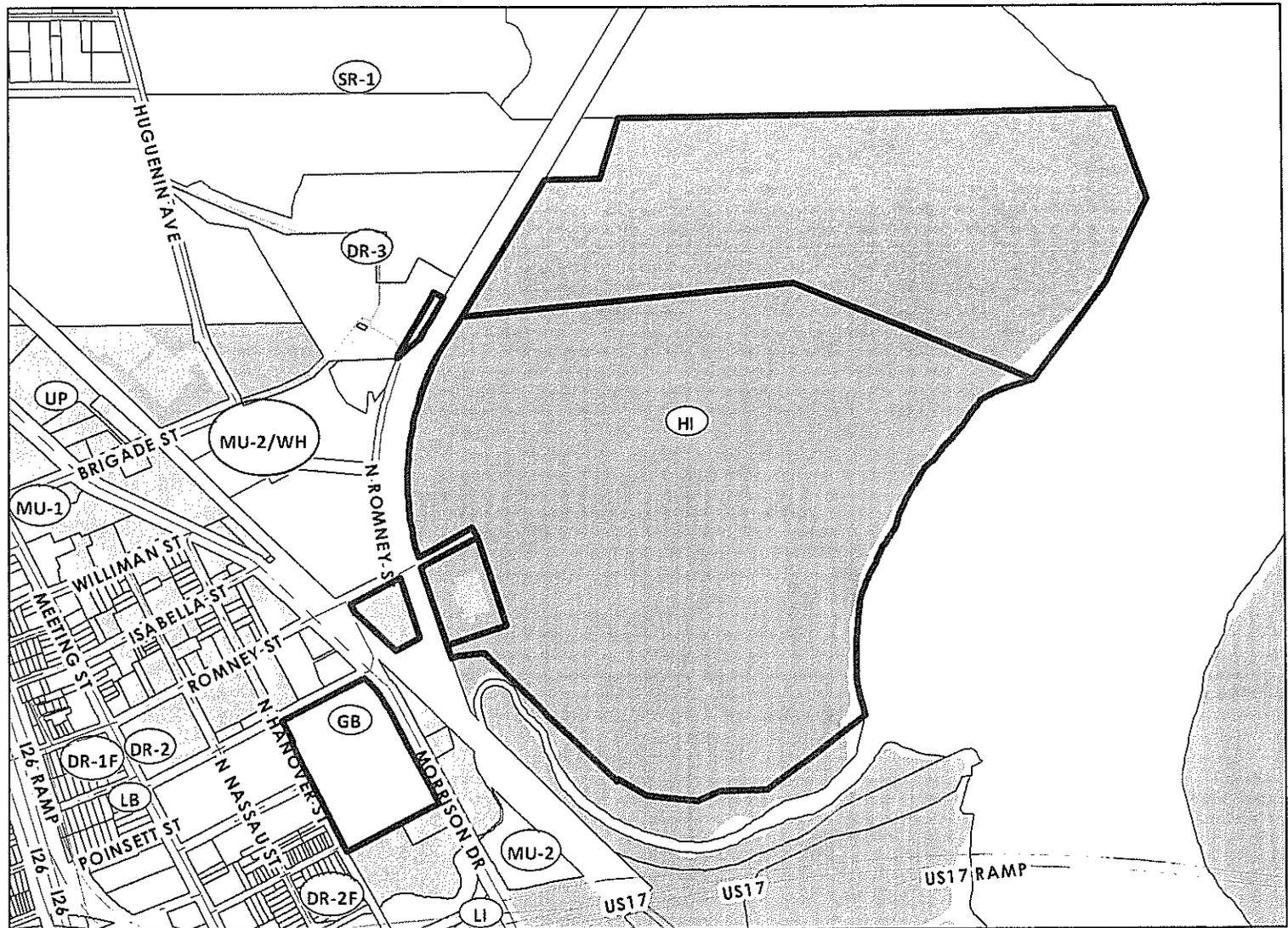
Request rezoning from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) to Planned Unit Development (PUD) (Laurel Island).

Owners: Charleston County and LRA Promenade

Area



Location





Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2444 QUAIL HOLLOW COURT (WEST ASHLEY) (APPROXIMATELY 0.09 ACRE) (TMS #355-16-00-069) (COUNCIL DISTRICT 2), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 8, 2020 (2020-121), BE ZONED DIVERSE RESIDENTIAL (DR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY DOUGLAS R. WURSTER.

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:

2444 Quail Hollow Court (West Ashley) (approximately 0.09 acre) (TMS #355-16-00-069)

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

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

ZONING 1

2444 Quail Hollow Ct (Pierpont - West Ashley)

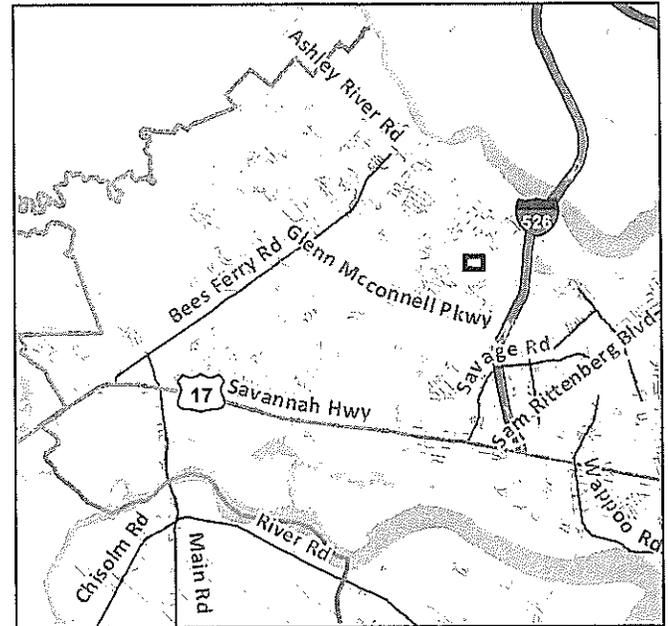
TMS # 3551600069

approx. 0.09 ac.

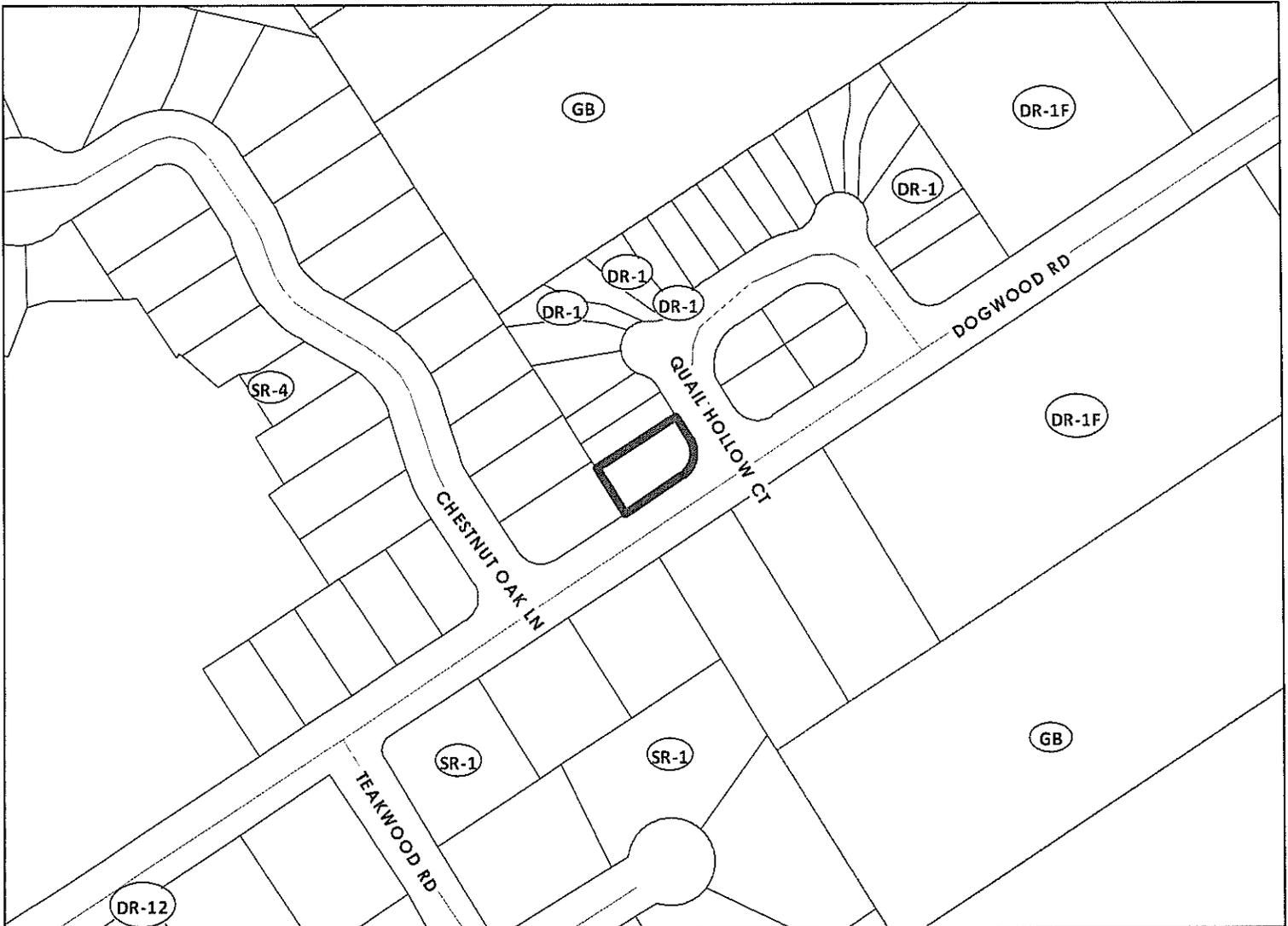
Request zoning of Diverse Residential (DR-1).
Zoned Office General (OG) in Charleston County.

Owner: Douglas R. Wurster

Area



Location





Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2229 WEEPOOLOW TRAIL (WEST ASHLEY) (APPROXIMATELY 0.32 ACRE) (TMS #353-12-00-017) (COUNCIL DISTRICT 2), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 8, 2020 (2020-120), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY JOHN EVERETT MCINNIS.

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:

2229 Weepoolow Trail (West Ashley) (approximately 0.32 acre) (TMS #353-12-00-017)

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

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

ZONING 2

2229 Weepoolow Tr
(Ashley Hall Plantation - West Ashley)

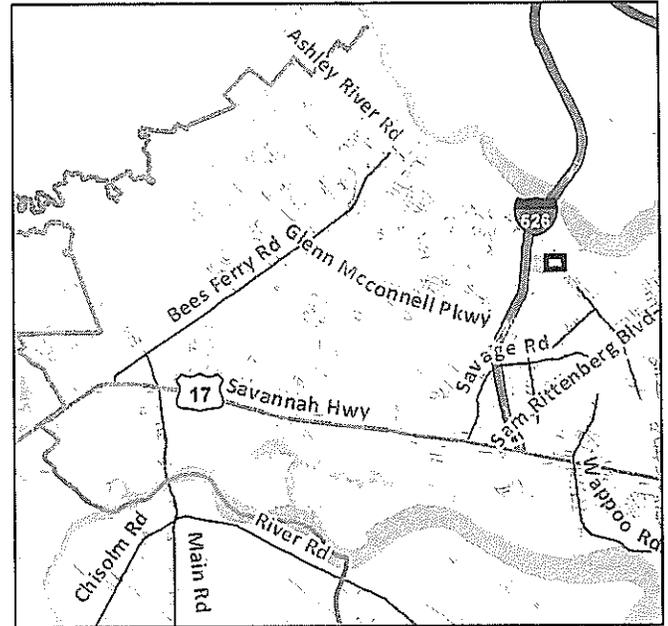
TMS # 3531200017

approx. 0.32 ac.

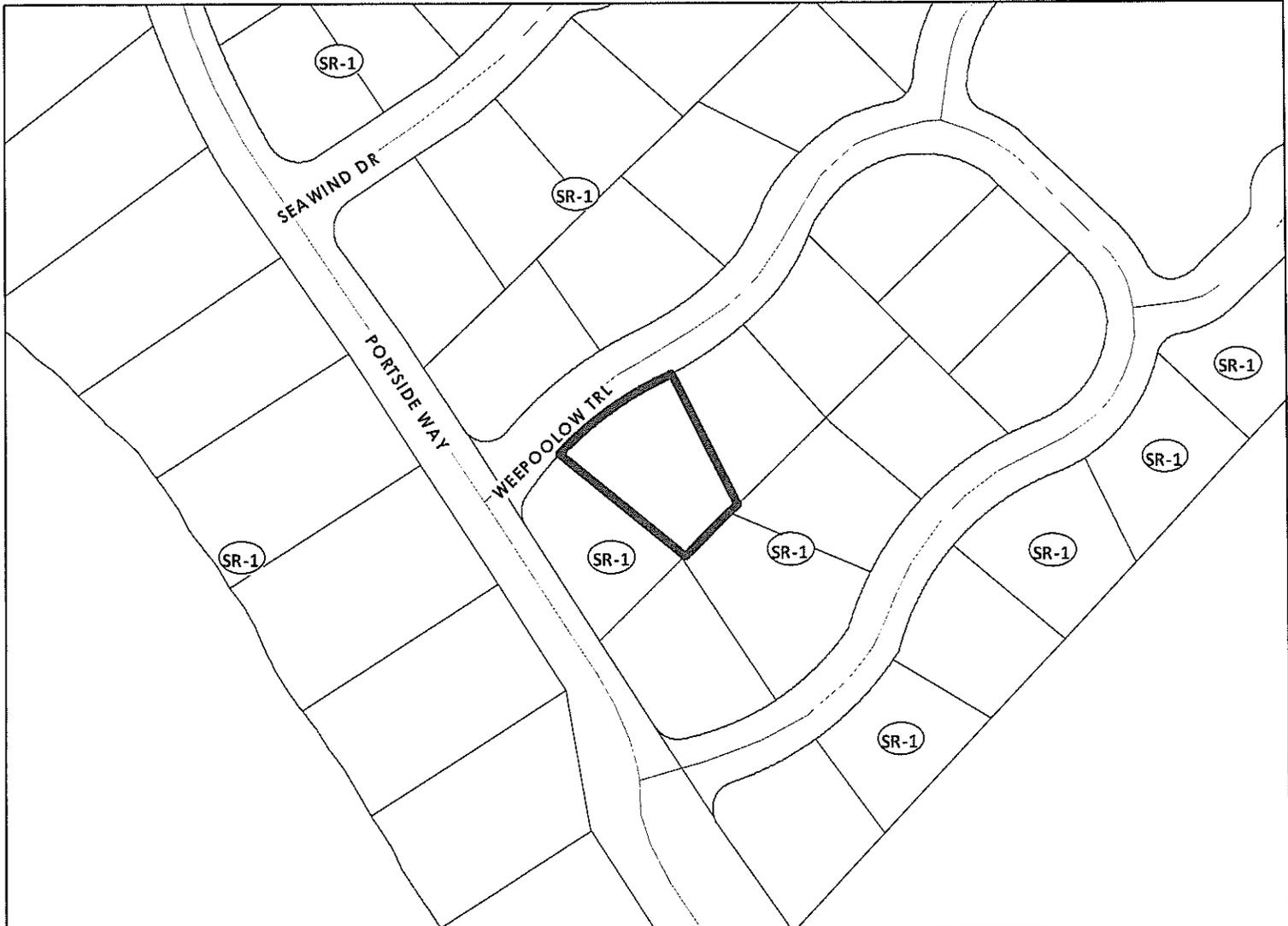
Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4) in Charleston County.

Owner: John Everett McInnis

Area



Location





Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1551 NORTH PINEBARK LANE (WEST ASHLEY) (APPROXIMATELY 0.22 ACRE) (TMS #353-15-00-037) (COUNCIL DISTRICT 7), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 8, 2020 (2020-122), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY ROSCOE L. BOLTON, III AND JOY L. BOLTON.

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:

1551 North Pinebark Lane (West Ashley) (approximately 0.22 acre) (TMS #353-15-00-037)

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

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

ZONING 4

1551 N Pinebark Ln (N Pinepoint - West Ashley)

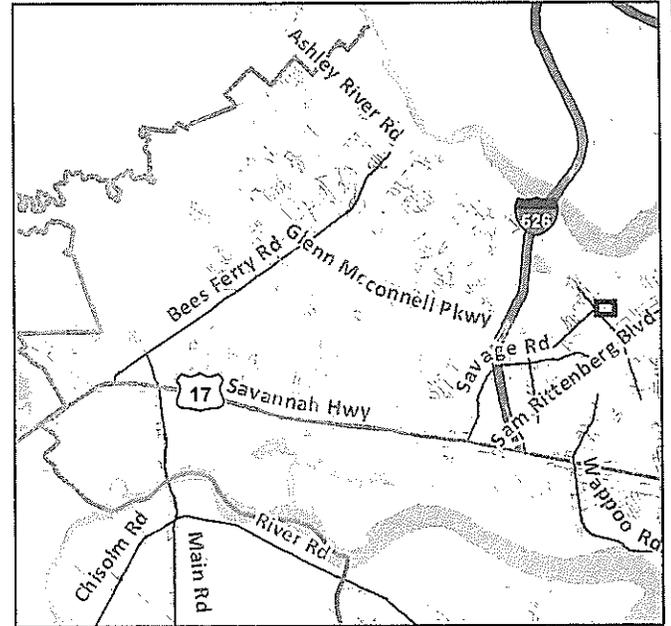
TMS # 3531500037

approx. 0.22 ac.

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

Owners: Roscoe L. Bolton, III and Joy L. Bolton

Area



Location





City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: September 22, 2020
RE: Citizen Police Advisory Council

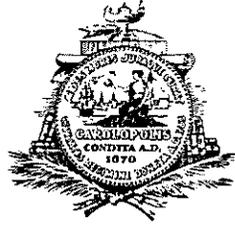
The Citizen Police Advisory Council serves to facilitate the involvement of the residents representing neighborhoods and communities in our city in order to improve policing and strengthen the connection between citizens and the Charleston Police Department.

Members will be selected by the mayor and members of City Council. Each City Councilmember will select one member of the Advisory Council, and the mayor will select four members of Advisory Council, along with two high school seniors to represent the city's youth.

With the exception of the high school seniors, who shall serve a one-year term, all other members of the Advisory Council will serve three-year terms. Initial members may be asked to serve for one- or two-year terms in order to create a sustainable level of membership. Members may serve up to two consecutive terms for a total of up to six years of service before having to leave the Council.

I am recommending the following individuals for the Citizen Police Advisory Council:

- Matt Austin – **Councilmember Appel** – term expires 9/22/2023
- Emily Broome – **Councilmember Seekings** – term expires 9/22/2023
- Vansh Nagpal (High School Senior) – **Mayor's selection** – term expires 9/22/2021
- Peter Beck (High School Senior) – **Mayor's selection** – term expires 9/22/2021



City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

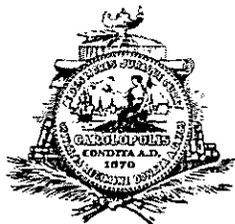
TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: September 22, 2020
RE: Minority Business Enterprise Advisory Committee

The Minority Business Enterprise Advisory Committee shall consist of at least 7 but no more than 11 individuals, representing minority business owners, lenders, government agencies, advocacy organizations, and critical stakeholders that represent the business interests of minority owned businesses. Committee members shall serve a two-year term. The purpose of the advisory committee is to provide recommendations to the Minority Business Enterprise Manager to support the goals and objectives of that office such as development strategies, policies, and operational procedures for the City of Charleston.

I am recommending the following 3 individuals for appointment to the Minority Business Enterprise Advisory Committee.

The following are my recommendations for the Minority Business Enterprise Advisory Committee:

- Mary Butler – **Reappointment** – term expires 2/28/2022
- Karl Hudson Phillips – **Reappointment** – term expires 2/28/2022
- Joan Robinson Berry – **Reappointment** – term expires 2/28/2022



City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: September 22, 2020
RE: Board of Zoning Appeals—Zoning Appointment

The Board of Zoning Appeals—Zoning comprises seven (7) citizens of the City of Charleston who do not hold any other public office or position in the City of Charleston and are appointed by City Council. Board members shall be citizens of the City of Charleston, with the exception of the professions required by this ordinance whom may be non-citizen owners or principals of a business within the City of Charleston. Of the members appointed, one (1) shall be in real estate, one (1) an attorney, one (1) a merchant, and one (1) an engineer.

I am recommending the appointment of Geiza Vargas-Vargas as a replacement to Leonard Krawcheck, who recently resigned from his position. She is a current board member with One80 Place, Charleston Deal Alliance, and a Council member of South Carolina Bar Association. Since 2016 she has worked at the law practice of Nelson Mullins Riley & Scarborough LLP, as partner.

I am recommending the appointment of John S. Bennett to fill the unexpired term of John Lester, who resigned recently upon his retirement from his engineering company. John has been an engineer since 2011. Since 2017, he has worked at the engineering firm of Bennett Preservation Engineering PC. He resides in West Ashley.

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

- Geiza Vargas-Vargas – **New Appointment** – term expires 2/28/2023
- John S. Bennett – **New Appointment** – term expires 2/28/2021

6. Carmella's shall take reasonable steps to prevent persons seeking entry from gathering outside after midnight.
7. Carmella's will close at midnight from Sunday through Wednesday nights.
8. This settlement agreement shall inure only to the benefit of Carmella's, LLC. Without limiting the foregoing, it shall not run with title to the property or in favor of any other lessee of the property.
9. In accordance with section 6-29-825(D) of the South Carolina Code, this settlement agreement shall not be effective until approved by the City Council of Charleston and the circuit court.
10. To the extent this settlement agreement is not approved by the City Council of Charleston or the circuit court, such disapproval shall not be permitted to be used as evidence in any subsequent proceedings; the parties jointly agree not to raise the issue of the settlement agreement or disapproval thereof in any subsequent proceedings; and Carmella's shall be entitled to proceed with any subsequent proceedings permitted by law. Neither party waives any claims, defenses, or rights in any subsequent proceedings by agreeing to this conditional settlement agreement.
11. Upon approved by the City Council of Charleston and the circuit court in accordance with section 6-29-825(D), Carmella's shall provide the City's Corporation Counsel with a signed Stipulation of Dismissal with prejudice. The City shall then provide Carmella's with the special exception permit described in Paragraph 1 of this settlement agreement, as well as a final, signed copy of the settlement agreement. No further signature from Carmella's shall be required to the settlement agreement, it being understood that this settlement agreement shall be binding on the parties when signed, subject only to approval by the City Council of Charleston and the circuit court. Upon delivery of the special exception permit described in Paragraph 1 to Carmella's, the City's Corporation Counsel shall execute and file the stipulation of dismissal with prejudice.

Dated this ____ day of September 2020.

Carmella's LLC settlement agreement
Page 2

Steven R. Kropski
Earhart Overstreet LLC
P.O. Box 22528
Charleston, SC 29413
Attorney for Plaintiff

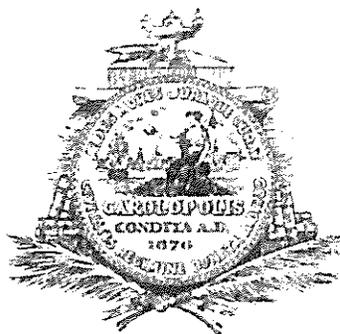
Daniel S. ("Chip") McQueeney, Jr.
City of Charleston
50 Broad Street
Charleston, SC 29401
Attorney for Defendants

Carmella's, LLC

By:
Its:

Approved by the City Council of Charleston this ____ day of _____, 20__.

By: John J. Tecklenburg
Its: Mayor



**EXECUTIVE ORDER
CONTINUING THE DECLARATION OF STATE OF EMERGENCY
IN RESPONSE TO THE COVID-19 VIRUS OUTBREAK**

WHEREAS, in December 2019, an outbreak respiratory illness due to a novel coronavirus (COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, across the world, including the United States; and,

WHEREAS, it is well recognized that COVID-19 presents a public health concern that requires extraordinary protective measures and vigilance; and,

WHEREAS, on January 23, 2020, the Center for Disease Control (“CDC”) activated its Emergency Response System to provide ongoing support for the response to COVID-19; and,

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency to assist with combating the coronavirus; and,

WHEREAS, on March 13, 2020, Governor Henry McMaster (the “Governor”) declared a state of emergency in South Carolina, Executive Order 2020-10, based on a determination that “COVID-19 poses an actual or imminent public health emergency”; and,

WHEREAS, on March 16, 2020, Mayor John J. Tecklenburg declared a local state of emergency in the City of Charleston; and,

WHEREAS, on March 16, 2020, City Council passed a temporary emergency ordinance (Ordinance No. 2020-038) to prohibit consumer price gouging on all commodities in the City of Charleston with limited exceptions; and,

WHEREAS, on March 16, 2020, City Council passed a temporary emergency ordinance (Ordinance No. 2020-040) suspending the requirements of Section 2-23(f) of the Code of the City of Charleston requiring the physical presence of Councilmembers at City Council meetings and committee meetings to permit participation by video conferencing or other virtual means to slow the spread of COVID-19; and,

WHEREAS, on March 17, 2020, the Governor issued Executive Order 2020-10, ordering and directing that any and all restaurants or other food-service establishments to suspend on-premises or dine-in consumption; and,

WHEREAS, on March 20, 2020, City Council passed a temporary emergency ordinance (Ordinance No. 2020-041) to temporarily suspend the accrual of the City's business license penalties, to suspend enforcement of the City's plastic bag ban, and to suspend the City's chauffer's license requirements; and,

WHEREAS, on March 21, 2020, the Governor issued Executive Order 2020-13, authorizing and directing law enforcement officers to prohibit or disburse any congregation or gathering of people, unless authorized or in their homes, in groups of three (3) or more people, if any such law enforcement official determines, in his or her discretion, that any such congregation or gathering of people poses, or could pose, a threat to public health; and,

WHEREAS, on March 24, 2020, City Council passed a temporary emergency ordinance, "Stay at Home Ordinance" (Ordinance No. 2020-042) which required individuals to stay in their homes and not travel or congregate in the streets of Charleston except for purposes of working at or conducting business with an essential business or engaging in individual outdoor recreational activities; and,

WHEREAS, on March 27, 2020, the Governor issued Executive Order 2020-14, directing that individuals who enter the State of South Carolina from an area with a substantial community spread of COVID-19 be required isolate or self-quarantine; and,

WHEREAS, on March 28, 2020, the Governor issued Executive Order 2020-15, declaring a separate and distinct state of emergency "due to the evolving nature and scope of the public health threat or other risks posed by COVID-19 and the actual, ongoing, and anticipated impacts associated with the same" and extending certain previous Executive Orders for the duration of the state of emergency; and,

WHEREAS, on March 30, 2020, the Governor issued Executive Order 2020-16, closing any and all public beach access points and public piers, docks, wharfs, boat ramps, and boat landings; and,

WHEREAS, on March 31, 2020, the Governor issued Executive Order 2020-17, closing or restricting access to certain non-essential businesses, venues, facilities, services, and activities; and,

WHEREAS, on April 1, 2020, City Council passed a second Stay at Home Ordinance (Ordinance No. 2020-048) which includes provisions contained in Governor McMaster's Executive Orders regarding dispersing of crowds (2020-13); quarantining of individuals from New York, New Jersey, and Connecticut (2020-14); closing of beaches and boat landings (2020-16); and closing of non-essential businesses (2020-17); and,

WHEREAS, on April 3, 2020, Governor Henry McMaster issued an Executive Order (2020-18) closing additional non-essential businesses; and,

WHEREAS, on April 6, 2020, Governor Henry McMaster, recognizing that public health officials had reported over 2,000 cases of COVID-19 in South Carolina, issued a Work or Home Executive Order (2020-21) which limited individuals from moving outside their homes except to engage in Essential Businesses; Essential Activities, and Critical Infrastructure Operations as defined in the Order; and,

WHEREAS, on April 6, 2020, City Council passed a temporary emergency ordinance (Ordinance No. 2020-042) to provide for temporary procedures for public hearings; and,

WHEREAS, on April 12, 2020, the Governor issued Executive Order 2020-23, recognizing that public health officials had reported over 3,319 confirmed cases of COVID-19 throughout South Carolina, and stating that “the extraordinary circumstances and conditions that necessitated” the Governor’s “prior emergency declarations have not subsided and have, in fact, evolved and expanded to present different and additional risks and dangers,” and explaining that the State “has transitioned from the investigation, reporting, and initiation phases of the COVID-19 pandemic to the acceleration phase”; and,

WHEREAS, in Executive Order 2020-23, the Governor declared a separate and distinct state of emergency based on a determination “that the accelerated spread of COVID-19 throughout the State poses an actual, ongoing, and evolving public health threat to the State of South Carolina, which now represents a new and distinct emergency and requires additional proactive action by the [State] and the implementation and enforcement of further extraordinary measures to slow the spread of COVID-19, minimize the strain on healthcare providers, and otherwise respond to and mitigate the expanding public health threat imposed by [the] emergency”; and,

WHEREAS, on April 16, 2020, the Governor issued Executive Order 2020-25, determining that “the ongoing, evolving, and accelerating public health threat imposed by COVID-19 requires additional proactive action by the [State] and the implementation, extension, or modification of additional extraordinary measures to cope with the existing or anticipated situation, to include mitigating the significant economic and other impacts and burdens on individuals, families and businesses,” while generally reopening public boat ramps or boat landings, as well as adjacent or associated public parking lots, for the purpose of launching and retrieving boats; and,

WHEREAS, on April 16, 2020, President Donald Trump issued guidelines entitled “Opening Up America Again,” describing criteria that state and local officials should satisfy before proceeding to a phased opening of the economy; and,

WHEREAS, on April 20, 2020, Governor McMaster issued an Executive Order (2020-28), reopening retail businesses previously determined to be non-essential including department stores, furniture stores, luggage stores, flower shops, book, craft and music shops subject to certain emergency rules and restrictions, including but not limited to an emergency maximum occupancy rate, social distancing practices, and compliance with certain sanitation guidelines and further ordered any local ordinance that conflicts with the Order is superseded; and,

WHEREAS, on April 22, 2020, City Council passed a temporary emergency ordinance (Ordinance No. 2020-052) to decrease the potential likelihood of exposure to COVID-19 in retail establishments opened by Governor McMaster’s Executive Order 2020-28; and,

WHEREAS, on April 27, 2020, Governor McMaster issued an Executive Order (2020-29) declaring a fourth (4th) State of Emergency in order to prepare for and respond to the ongoing and evolving public health threat posed by the COVID-19 pandemic, to mitigate the significant impacts associated with the same, and to extend certain Executive Orders related to the pandemic; and,

WHEREAS, on April 30, 2020, City Council passed a temporary emergency ordinance (Ordinance No. 2020 -56) to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending the Design Review District Section 54-268.c to allow affordable housing developments to be approved by the Administrative Officer; and,

WHEREAS, on May 1, 2020, by Executive Order No. 2020-30, the Governor rescinded Executive Order Nos. 2020-14 and 2020-19 which had imposed mandatory self-quarantine and lodging and travel restrictions for individuals entering South Carolina from high-risk areas; and,

WHEREAS, on May 3, 2020, Governor McMaster issued an Executive Order (2020-31) modifying his home or work order to urge any and all residents and visitors of the State of South Carolina to limit social interaction, practice “social distancing” in accordance with CDC guidance, and take every possible precaution to avoid potential exposure to, and to slow the spread of, COVID-19, and further encourage residents and visitors of the State of South Carolina to limit their movements outside of their home, place of residence, or current place of abode; and to authorize restaurants to provide outdoor customer dining services in addition to previously authorized services for off-premises consumption; and,

WHEREAS, as of May 8, 2020, the total number of persons infected with COVID-19 in South Carolina was 7,367, with 320 deaths; including 481 cases in Charleston County with 9 deaths and 191 cases in Berkeley County with 14 deaths; and,

WHEREAS, on May 8, 2020, Governor McMaster issued an Executive Order (2020-34) which modified prior orders to authorize restaurants to provide services for limited indoor, on-premises customer dining, effective May 11, 2020, in addition to previously authorized services for off-premises consumption and outdoor customer dining; and,

WHEREAS, on May 12, 2020, Governor McMaster issued an Executive Order (2020-35) declaring an additional fifth (5th) State of Emergency in order to prepare for and respond to the ongoing and evolving public health threat posed by the COVID-19 pandemic, to mitigate the significant impacts associated with the same, and to extend certain Executive Orders related to the pandemic; and,

WHEREAS, on May 12, 2020, Mayor John J. Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until May 31, 2020; and,

WHEREAS, on May 12, 2020, City Council passed three temporary emergency ordinances that extended certain temporary emergency ordinances and repealed certain temporary emergency ordinances (Ordinance No. 2020-059); authorized outdoor dining on new and additional areas (Ordinance No. 2020-060); and urged citizens and tourists to stay at home (Ordinance No. 2020-061); and,

WHEREAS, on May 15, 2020, Governor McMaster issued an Executive Order (2020-36) authorizing certain businesses, venues, facilities, services, and activities, including fitness centers, barber shops, and hair salons, previously deemed “non-essential” and previously directed to close, to re-open for access and use by the public, effective May 18, 2020; and,

WHEREAS, on May 21, 2020, Governor McMaster issued an Executive Order (2020-37) allowing additional businesses, venues, facilities, services, and activities, including tourist attractions, indoor children’s play areas, and recreational and athletic facilities and activities, previously deemed “non-essential” and previously directed to close, to re-open for access and use by the public, effective May 22, 2020; and,

WHEREAS, on May 27, Governor McMaster issued an Executive Order (2020-38) declaring an additional sixth (6th) State of Emergency, extending the State of Emergency to control the spread of COVID-19 and lessen its impacts on portions of the State’s population; and,

WHEREAS, on May 28, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until June 30, 2020; and,

WHEREAS, on May 28, 2020, City Council passed an emergency ordinance extending certain emergency ordinances until June 30, 2020 (Ordinance No. 2020-068); and also amending the emergency ordinance on decreasing the risk of exposure to COVID-19 in retail businesses (Ordinance No. 2020-069) and replacing the stay at home ordinance with a new stay at home ordinance (Ordinance No. 2020-070); and,

WHEREAS, on June 11, 2020, Governor McMaster issued an Executive Order (2020-40) declaring an additional seventh (7th) state of emergency, extending the State of Emergency to authorize the continued use of extraordinary measure to meet the threat of COVID-19 and “the evolving nature and scope of this public health emergency...”; and further modifying prior orders relating to organized events or public gatherings on state or local government property and to retail stores required to follow certain emergency rules and restrictions; and further permitting previously deemed “non-essential” businesses operating as bowling alleys to re-open for access and use by the public; and,

WHEREAS, since the first state of emergency declared in our City on March 16, 2020, our citizens have made many sacrifices in their daily lives and it appears those efforts may have helped to flatten the curve in our city; and further, the emergency ordinances adopted by City Council in response to COVID-19 are aggressive steps that have significantly enhanced our efforts to mitigate the threat of exposure to COVID-19; and,

WHEREAS, despite these actions, new cases and deaths due to COVID-19 are continuing to occur in South Carolina, and medical and scientific information predicts that this public health crisis is expected to continue for some time; and,

WHEREAS, as of June 17, 2020, the total number of cases infected with COVID-19 in South Carolina is 19,990 with 607 deaths, including 1,230 cases in Charleston County with 16 deaths and 427 cases in Berkeley County with 19 deaths; and,

WHEREAS, on June 17, 2020, Governor McMaster issued an Executive Order (2020-40) declaring an additional seventh (7th) state of emergency; and,

WHEREAS, on June 25, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until July 15, 2020; and,

WHEREAS, on June 25, 2020, City Council passed an emergency ordinance (Ordinance No. 2020-083), temporarily suspending the accrual of the City's business license late fees; an emergency ordinance (Ordinance No. 2020-084), requiring persons to wear face coverings in certain circumstances in the city of Charleston to reduce the risk of exposure to COVID-19 during the public health emergency and recovery; and an emergency ordinance (Ordinance No. 2020-082) extending certain emergency ordinances related to COVID-19, all of which will expire July 15, 2020; and,

WHEREAS, on June 26, 2020, Governor McMaster issued an Executive Order (2020-42) declaring a new state of emergency, which was the eighth (8th) state of emergency in our state; and,

WHEREAS, the number of cases of persons infected with COVID-19 in South Carolina continues to climb at a dramatic rate; the number of cases in South Carolina as of July 7, 2020 is 47,352 with 846 deaths, including 6,073 cases in Charleston County with 41 deaths and 1,703 cases in Berkeley County with 24 deaths; and,

WHEREAS, on July 11, 2020, the Governor issued Executive Order (2020-44) declaring the ninth (9th) state of emergency in South Carolina; and,

WHEREAS, on July 14, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until July 31, 2020 based on the continuing threat to our community from the risk of exposure to COVID-19; and,

WHEREAS, acting in response to the continuing threat to public health and safety from COVID-19, City Council passed an emergency ordinance (Ordinance No. 2020-085) extending certain ordinances related to COVID-19 to July 31, 2020, and further amending the previously passed emergency ordinance on face coverings by clarifying the scope of the face covering requirements, limiting indoor occupancy for bars and restaurants, and prohibiting amplified music in bars and restaurants after 9:00 p.m. (Ordinance No. 2020-086); and,

WHEREAS, as of July 21, 2020, the number of cases of persons infected with COVID-19 in South Carolina continues to climb at a staggering rate; with 73,337 cases reported in the state with 1,221 deaths, including 9,785 cases in Charleston County with 103 deaths and 3,092 cases in Berkeley County with 37 deaths; and,

WHEREAS, on July 28, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until August 20, 2020 based on the continuing threat to our community from the risk of exposure to COVID-19; and,

WHEREAS, on August 10, 2020, the Governor issued Executive Order (2020-53) declaring the eleventh (11th) state of emergency in South Carolina; and,

WHEREAS, as of August 11, 2020, DHEC identified at least 101,000 confirmed cases of COVID-19 in South Carolina, including 2,049 deaths due to COVID-19; this includes 12,377 confirmed cases in Charleston County with 196 deaths and 4,186 confirmed cases in Berkeley County with 67 deaths; and,

WHEREAS, as of August 18, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until September 25, 2020 based on the continuing threat of COVID-19 to the community and City Council took steps to continue various emergency ordinances in response to COVID-19 (Ordinance No. 2020-099 and 2020-100); and,

WHEREAS, on August 25, 2020 and September 9, 2020, the Governor issued Executive Orders 2020-56 and 2020-59, respectively, declaring the 12th and 13th state of emergency in South Carolina; and,

WHEREAS, as of September 14, 2020, DHEC identified at least 132,680 confirmed cases of COVID-19 in South Carolina, including 3,077 deaths; this includes 15,167 confirmed cases in Charleston County with 253 deaths and 5,203 confirmed cases in Berkeley County with 87 deaths; and,

WHEREAS, until the threats posed by COVID-19 to persons, to businesses, and to the public health, safety and welfare of this city are neutralized, emergency conditions exist which require our taking steps to continue to minimize the risk of exposure in public, limit the spread of infection in the community, and limit the burdens on the health care delivery system; and,

WHEREAS, the City is authorized to undertake and coordinate all necessary and reasonable activities for this emergency response, to take all appropriate actions required to alleviate the effects of the coronavirus disaster emergency, including action following the guidelines of the CDC and the DHEC, to and in the aid of essential public services, and to take any other lawful emergency response or action deemed necessary to protect the public health, safety, and welfare of the City of Charleston.

NOW, THEREFORE, I John J. Tecklenburg, Mayor and Chief Executive Officer of the City of Charleston, South Carolina in consultation with and the agreement of the City Council of Charleston, in furtherance of the public health, safety and welfare and based on evolving medical and scientific information do hereby declare effective immediately that the local state of emergency shall continue until October 30, 2020. I further state that I will evaluate the continuing need for this declaration prior to its expiration.

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

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

ATTEST: _____
Vanessa Turner Maybank
Clerk of Council



**EMERGENCY ORDINANCE
AMENDING EMERGENCY ORDINANCE NO. 2020-100
BY DELETING LANGUAGE IN SECTIONS 7 AND 8
PROHIBITING AMPLIFIED MUSIC IN BARS AND RESTAURANTS
AFTER 9 PM AND RELACING IT WITH 11 PM**

Section 1. Section 7 of Emergency Ordinance No. 2020-100 is amended as follows:

**“Section 7. No Amplified Music in Bars and Restaurants
after ~~9:00 p.m.~~ 11 p.m.”**

During the duration of this emergency ordinance, bars and restaurants shall not allow amplified music, including but not limited to bands, DJs, and karaoke music, after ~~9:00 p.m.~~ 11 p.m. This is recognized as a temporary alteration of the City’s existing noise ordinance, Section 21-16, Code of the City of Charleston.”

Section 2. Section 8 of Emergency Ordinance No. 2020-100 is amended as follows:

**“Section 8. Violation and Penalties for Exceeding Occupancy Limits;
Playing Amplified Music After ~~9 p.m.~~ 11 p.m.”**

1. With the exception of their own employees, businesses owners and operators shall not have responsibility for enforcing the requirements set forth in Section 3 of this Ordinance but shall post conspicuous signage at all entrances informing its patrons of the requirements of this Ordinance and may refuse service to customers who after having been provided a warning and copy of this Ordinance by the business, fail to comply with this Ordinance.

2. Business owners and operators are responsible for ensuring that Sections 6 and 7 of this Ordinance are followed or otherwise cease services. Pursuant to Section 45-3-30 of the South Carolina Code, the City may deem or revoke any license granted to conduct any such business when in the judgment of the City, the

business is not complying with this Ordinance and is subject to the penalties set forth in Section 1-16 of the City Code.

3. It shall be deemed a public nuisance for a business to violate Sections 6 and/or 7 of this Ordinance on three (3) separate occasions within a three (3) day period of time and as such, the business shall be subject to a review by the City's Business License Official for suspension of its business license as provided for in Section 16 of the City's Business License Ordinance."

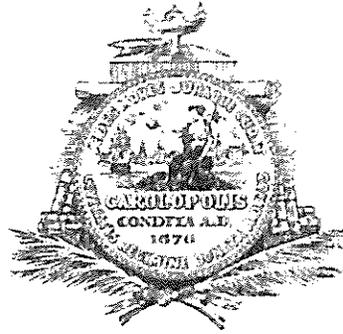
Section 3.

This Ordinance shall take effect on its adoption and shall automatically expire on the 61st day after the enactment of Ordinance No. 2020-100.

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

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

ATTEST: _____
Vanessa Turner Maybank
Clerk of Council



**EMERGENCY ORDINANCE
EXTENDING CERTAIN EMERGENCY ORDINANCES
RELATED TO COVID-19**

Section 1. Findings. City Council does hereby make the following findings:

WHEREAS, on March 16, 2020, Mayor John J. Tecklenburg declared a local state of emergency in the City of Charleston based on a determination that in furtherance of public health and safety that the City take all necessary steps to protect the citizens from increased risk of exposure to COVID-19; and,

WHEREAS, on March 16, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-038) to prohibit consumer price gouging on all commodities in the City of Charleston with limited exceptions; and,

WHEREAS, on March 16, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-039) to prohibit gatherings of 50 people or more; amend on March 19, 2020, by temporary emergency ordinance, Ordinance No. 2020-39(a), reducing the size of public gatherings to less than 10 people; and,

WHEREAS, on March 16, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-040) suspending the requirements of Section 2-23(f) of the Code of the City of Charleston requiring the physical presence of Councilmembers at City Council meetings and committee meetings to permit participation by video conferencing or other virtual means to slow the spread of COVID-19; and,

WHEREAS, on March 20, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-041) to temporarily suspend the accrual of the City's business license penalties for sixty days, to suspend enforcement of the City's plastic bag ban for sixty days, and to suspend the City's chauffer's license renewal requirements issued between March 18, 2019 and April 1, 2019 for an additional sixty days; and,

WHEREAS, on March 24, 2020, City Council ratified a temporary emergency ordinance, "Stay at Home Ordinance" (Ordinance No. 2020-042) requiring individuals to stay in their homes and not travel or congregate in the streets of Charleston except for purposes of working at or conducting business with an essential business or engaging in individual outdoor recreational activities; and,

WHEREAS, on March 26, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-046), amending the Consolidated Plan for reallocation of CDBG funds to provide funding for public services and temporary living quarters to persons who are homeless or vulnerable due to COVID-19; and,

WHEREAS, on March 27, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-047), extending the due date for filing and remittance of hospitality taxes for February and March to May 13, 2020; and,

WHEREAS, on April 1, 2020, City Council repealed Stay at Home Ordinance No. 2020-042 and ratified a second Stay at Home Ordinance (Ordinance No. 2020-048) which included provisions contained in Governor McMaster's Executive Orders regarding dispersing of crowds (Ex. Order 2020-13); quarantining of individuals from New York, New Jersey, and Connecticut (Ex. Order 2020-14); closing of beaches and boat landings (Ex. Order 2020-16); and closing of non-essential businesses (Ex. Order 2020-17); and,

WHEREAS, on April 6, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-049) to provide for temporary procedures for public hearings; and,

WHEREAS, on April 16, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-051) to prohibit open burning; and,

WHEREAS, on April 22, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-052) on decreasing the risk of exposure to COVID-19 in retail businesses; and,

WHEREAS, on April 30, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-056) to amend Chapter 54 of the Code of the City of Charleston (zoning ordinance) by amending design review district section 54-268.c to allow affordable housing developments to be approved by the administrative officer; and,

WHEREAS, on May 12, 2020, City Council readopted five of the temporary emergency ordinances, such ordinances which are now set to expire on May 31, 2020 (Ordinance No. 2020-59); and,

WHEREAS, on May 12, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-060) to authorize the use of new or additional space for outdoor dining, and a temporary emergency ordinance (Ordinance No. 2020-061) urging, among other matters, for residents and visitors to stay in their homes, such ordinance to expire on May 31, 2020; and,

WHEREAS, on May 27, Governor McMaster issued an Executive Order (2020-38) declaring an additional sixth (6th) State of Emergency, extending the State of Emergency to control the spread of COVID-19 and lessen its impacts on portions of the State's population; and,

WHEREAS, on May 28, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until June 30, 2020; and,

WHEREAS, on May 28, 2020, City Council passed an emergency ordinance extending certain emergency ordinances until June 30, 2020 (Ordinance No. 2020-068); and also amending the emergency ordinance on decreasing the risk of exposure to COVID-19 in retail businesses (Ordinance No. 2020-069) and replacing the stay at home ordinance with a new stay at home ordinance (Ordinance No. 2020-070); and,

WHEREAS, on June 11, 2020, Governor McMaster issued an Executive Order (2020-40) declaring an additional seventh (7th) state of emergency, extending the State of Emergency to authorize the continued use of extraordinary measure to meet the threat of COVID-19 and “the evolving nature and scope of this public health emergency...”; and further modifying prior orders relating to organized events or public gatherings on state or local government property and to retail stores required to follow certain emergency rules and restrictions; and further permitting previously deemed “non-essential” businesses operating as bowling alleys to re-open for access and use by the public; and,

WHEREAS, as of June 17, 2020, the total number of cases infected with COVID-19 in South Carolina was 19,990 with 607 deaths, including 1,230 cases in Charleston County with 16 deaths and 427 cases in Berkeley County with 19 deaths; and,

WHEREAS, on June 25, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until July 15, 2020; and,

WHEREAS, on June 25, 2020, City Council passed an emergency ordinance (Ordinance No. 2020-083), temporarily suspending the accrual of the City’s business license late fees; an emergency ordinance (Ordinance No. 2020-084), requiring persons to wear face coverings in certain circumstances in the city of Charleston to reduce the risk of exposure to COVID-19 during the public health emergency and recovery; and, an emergency ordinance (Ordinance No. 2020-086) extending certain emergency ordinances related to COVID-19; and,

WHEREAS, on June 26, 2020, Governor McMaster issued an Executive Order (2020-42) declaring a new state of emergency, which was the eighth (8th) state of emergency in our state; and,

WHEREAS, the number of cases of persons infected with COVID-19 in South Carolina continues to climb at a dramatic rate; the number of cases in South Carolina as of July 7, 2020 is 47,214 with 838 deaths, including 6,072 cases in Charleston County with 41 deaths and 1,703 cases in Berkeley County with 24 deaths; and,

WHEREAS, on July 11, 2020, the Governor issued Executive Order (2020-44) declaring the ninth (9th) state of emergency in South Carolina; and,

WHEREAS, on July 14, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until July 31, 2020 based on the continuing threat to our community from the risk of exposure to COVID-19; and,

WHEREAS, acting in response to the continuing threat to public health and safety from COVID-19, City Council passed an emergency ordinance (Ordinance No. 2020-085) extending certain ordinances related to COVID-19 to July 31, 2020, and further amending the previously passed emergency ordinance on face coverings by clarifying the scope of the face covering requirements, limiting indoor occupancy for bars and restaurants, and prohibiting amplified music in bars and restaurants after 9:00 p.m. (Ordinance No. 2020-086); and,

WHEREAS, as of July 21, 2020, the number of cases of persons infected with COVID-19 in South Carolina continues to climb at a staggering rate; with 73,337 cases reported in the state with 1,221 deaths, including 9,785 cases in Charleston County with 103 deaths and 3,092 cases in Berkeley County with 37 deaths; and,

WHEREAS, acting in response to the continuing threat to public health and safety from COVID-19, City Council passed an emergency ordinance (Ordinance No. 2020-085) extending certain ordinances related to COVID-19 to July 31, 2020, and further amending the previously passed emergency ordinance on face coverings by clarifying the scope of the face covering requirements, limiting indoor occupancy for bars and restaurants, and prohibiting amplified music in bars and restaurants after 9:00 p.m. (Ordinance No. 2020-086); and,

WHEREAS, as of July 21, 2020, the number of cases of persons infected with COVID-19 in South Carolina continues to climb at a staggering rate; with 73,337 cases reported in the state with 1,221 deaths, including 9,785 cases in Charleston County with 103 deaths and 3,092 cases in Berkeley County with 37 deaths; and,

WHEREAS, on July 28, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until August 20, 2020 based on the continuing threat to our community from the risk of exposure to COVID-19 and City Council passed an emergency ordinance extending certain ordinances related to COVID-19 to August 20, 2020 (Ordinance No. 2020- 090), and amending the face covering ordinance (Ordinance No. 2020-91); and,

WHEREAS, on August 10, 2020, the Governor issued Executive Order (2020-53) declaring the eleventh (11th) state of emergency in South Carolina; and,

WHEREAS, as of August 11, 2020, DHEC identified at least 101,000 confirmed cases of COVID-19 in South Carolina, including 2,049 deaths due to COVID-19; this includes 12,377 confirmed cases in Charleston County with 196 deaths and 4,186 confirmed cases in Berkeley County with 67 deaths; and,

WHEREAS, as of August 18, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until September 25, 2020 based on the continuing threat of COVID-19 to the community and City Council took steps to continue

various emergency ordinances in response to COVID-19 (Ordinance Nos. 2020-099 and 2020-100); and,

WHEREAS, on August 25, 2020 and September 9, 2020, the Governor issued Executive Orders 2020-56 and 2020-59, respectively, declaring the 12th and 13th state of emergency in South Carolina; and,

WHEREAS, as of September 14, 2020, DHEC identified at least 132,680 confirmed cases of COVID-19 in South Carolina, including 3,077 deaths; this includes 15,167 confirmed cases in Charleston County with 253 deaths and 5,203 confirmed cases in Berkeley County with 87 deaths; and,

WHEREAS, based on the continuing nature of the pandemic and the need for City Council to respond with flexibility to the public health emergency as it evolves, it is necessary to extend certain temporary emergency ordinances, now set to expire.

Section 2. The following temporary emergency ordinances are ratified and shall expire on October 30, 2020:

- 2020-038 - Emergency Ordinance prohibiting consumer price gauging.
- 2020-049 - Emergency Ordinance regarding temporary procedures for public hearings.
- 2020-056 - Emergency Ordinance on allowing affordable housing units to be approved by the Administrative Officer.
- 2020-069 - Emergency Order on Decreasing Risk of Exposure to COVID-19 in Retail Businesses.
- 2020-092 - Emergency Order requiring parade permit for 25 or more persons.

Section 3. The following temporary emergency ordinance is amended by adding the underlined language, bolded, as set forth below, is ratified and shall expire on October 30, 2020:

2020-040- Emergency Ordinance suspending the requirement of physical presence of Councilmembers at Council meetings/permitting telephonic/virtual attendance:

“Section 2: Section 2-23(f) of the Code of the City of Charleston is temporarily suspended, and City Councilmembers are permitted to attend City Council meetings, Ways and Means Committee meetings, and all City Council Standing Committee meetings telephonically or by video conference or other virtual means in accordance with the South Carolina Freedom of Information Act. **City staff will prepare a report on transitioning to in-person City Council meetings to be presented to City Council on October 13, 2020.”**

Section 4. This Ordinance shall become effective upon ratification.

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

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

ATTEST: _____
Vanessa Turner-Maybank
Clerk of Council



Ratification
Number _____

A N O R D I N A N C E

AMENDING CHAPTER 27 OF THE CODE OF THE CITY OF CHARLESTON, BY AMENDING FLOOD HAZARD PREVENTION AND CONTROL REQUIREMENTS IN SECTION 27-105 TO REFERENCE FEMA'S UPDATED FLOOD INSURANCE STUDY FOR CHARLESTON COUNTY, EFFECTIVE JANUARY 29, 2021.

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

Section 1. Sec. 27-105 of the Code of the City of Charleston, is hereby amended as follows:

“Sec. 27-105. - Establishment of areas of special flood hazard.

Areas of special flood hazard in the city are identified in and established by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Studies, Berkeley County study dated December 7, 2018 and Charleston County study dated January 29, 2021 ~~November 17, 2004~~, with accompanying maps and other supporting data that are hereby adopted by reference and declared to be a part of this article. Upon annexation, any special flood hazard areas identified by FEMA in its Flood Insurance Study for the unincorporated areas of Berkeley County and Charleston County, with accompanying maps and other data, are adopted by reference and declared part of this article.”

Section 2. This ordinance shall become effective on January 29, 2021 for all new building permit applications submitted on or after that date.

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