CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Shealy

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Presentation of the City of Charleston MWBE Business Spotlight Awards

2. Proclamation recognizing National Mentoring Month

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, January 26th:

1. Request to speak (via Zoom or telephone) or leave a comment via voice mail at 843-579-6313. If requesting to speak, please provide your name and telephone number;

2. Request to speak (via Zoom or telephone) or leave a comment for City Council by completing the form at http://innovate.charleston-sc.gov/comments/.

3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

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 14 F Street (Peninsula) (approximately 0.10 acre) (TMS #463-16-03-041) (Council District 4), be rezoned from Diverse Residential (DR-1) classification to Diverse Residential (DR-2F) classification. The property is owned by William R. James.

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 578 Meeting Street (Peninsula) (approximately 2.13 acres) (TMS #459-01-03-031) (Council District 4), be rezoned from General Business (GB) and Light Industrial (LI) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by Exchange Real Estate Holdings LLC.
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of 578 Meeting Street (Peninsula) (approximately 1.25 acres) (TMS #459-01-03-031) (Council District 4), be rezoned from 2.5-3 Story Old Height District classification to 3.5 Story Old Height District classification. The property is owned by Exchange Real Estate Holdings LLC.

4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending subsection 15. of Section 54-306 – Old City Height Districts and the footnotes to the Old City Height District Chart in Section 54-306.X.

5. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by changing Part 16 (Cluster Development) of Article 2 (Land Use Regulations) to add a new Sec. 54-299.16, providing that Cluster Developments will no longer be permitted for new developments. (SECOND READING) (The Planning Commission recommends disapproval.)

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 2891 Doncaster Drive (West Ashley) (approximately 0.31 acre) (TMS #358-10-00-087) (Council District 10), annexed into the City of Charleston December 15, 2020 (#2020-178), be zoned Single-Family Residential (SR-1) classification. The property is owned by Debra Sottile.

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 333 Fleming Rd, Units C1-C4 and D1-D4 (James Island) (approximately 0.29 acre) (TMS #343-07-00-113 through 120 and a portion of 343-07-00-193) (Council District 6), annexed into the City of Charleston January 12, 2021 (#2021-005), be zoned Diverse Residential (DR-1F) classification. The property is owned by AV SG Southcourt, LLC.

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. December 15, 2020

2. January 12, 2021

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, January 26th:

1. Request to speak or leave a comment via voice mail at 843-579-6313. If requesting to speak, please provide your name and telephone number;

2. Sign-up to speak or leave comments for City Council by completing the form at http://innovate.charleston-sc.gov/comments/ by Tuesday, January 26th at 12:00 p.m.

3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401
I. Petitions and Communications:

1. Update on the City's response to COVID-19 - Mayor John J. Tecklenburg, Shannon Scaff, Emergency Management Director, and Tracy McKee, Chief Innovation Officer

2. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to create a Special Parking District Overlay Zone for the purpose of eliminating minimum off-street parking requirements applicable to certain uses within the district and by changing the Zone Map, which is a part thereof, so that properties designated as Charleston County TMS Nos. 457-04-02-007 to 012, 457-04-02-014 to 033, 457-04-02-035 to 041, 457-04-02-081, 457-04-02-111, 457-04-02-113 to 134, 457-04-02-157 to 172, 457-04-02-175 to 182, 457-04-02-184 to 191, 457-04-02-193 to 194, 457-04-04-009 to 023, 457-04-04-039, 457-04-04-041 to 047, 457-04-04-092, 457-04-04-094 to 105, 457-04-04-107 to 111, 457-04-04-117, 457-04-04-129 to 130, 457-04-04-150 to 154, 457-04-04-157 to 160, 457-04-04-163, 457-04-04-167 to 201, 457-04-04-258 to 269, 457-04-04-271 to 277, 457-04-04-307 to 320, 457-04-04-322, 457-08-01-039 to 044, 457-08-01-046, 457-08-01-048 to 064, 457-08-01-072, 457-08-01-078, 457-08-01-080, 457-08-01-088 to 090, 457-08-01-095 to 117, 457-08-01-125 to 127, 457-08-01-141 to 156, 457-08-01-163, 457-08-02-020 to 026, 457-08-02-032 to 038, 457-08-02-135, 457-08-02-159 to 161, 457-08-04-003, 457-08-04-015 to 017, 457-08-04-019, 457-08-04-0191, 457-08-04-020 to 032, 457-08-04-035 to 040, 457-08-04-042, 457-08-04-088, 457-08-04-091, 457-08-04-131, 457-08-04-133 to 134, 457-08-04-137 to 143, 457-08-04-148 to 149, 457-08-04-154 to 156, 457-08-04-184 to 188, 457-12-02-009 to 010, 457-12-02-041, 457-12-02-046 to 049 and 457-12-04-015 be included within the Special Parking District Overlay Zone.

J. Council Communications:

1. Discussion to direct City staff to prepare an ordinance governing Conservation Developments in sufficient time for consideration by City Council during its regular meeting on May 25, 2021 (Requested by Councilwoman Carol Jackson)

2. Establishment of the Paul Wachter Memorial Bridge and Pathway (Requested by Councilmember Keith Waring)

K. Council Committee Reports:

1. Committee on Public Works and Utilities: (Meeting was held Monday, January 25, 2021 at 4:30 p.m.)

   a. Stormwater Management Department Updates:

      (i) Low Battery Seawall Repairs Phase 1 – Approval of an Aid-to-Construction Agreement and payment to Dominion Energy in the amount of $44,660.38 for providing 17 light fixtures located along Murray Blvd. This funding is available in the project budget from Municipal Accommodations Tax Funds and Charleston County Accommodations Tax Fees.

      (ii) Low Battery Seawall Repairs Phase 2 – Approval of a Construction Contract with Gulf Stream Construction Company, Inc., in the amount of $11,976,855.02 for the restoration of the Low Battery Seawall from Ashley Blvd to approximately Council
St. This amount includes $1,370,179.41 of reimbursable in-contract Charleston Water Systems work. This funding is available in the project budget from Municipal Accommodations Tax Funds and Charleston County Accommodations Tax Fees. This establishes a project budget of $34,523,134.53 and authorizes Staff to award and/or amend contracts less than $40,000 to the extent contingency funds exist in this Council Approved Budget.

(iii) Low Battery Seawall Repairs Phase 2 – Approval of a Contract Fee Amendment with Johnson, Mirriran and Thompson, Inc., to authorize Construction Engineering and Inspection Services for Phase 2 of the Low Battery Seawall Repair project in the amount of $565,847.00. This funding is available in the project budget from Municipal Accommodations Tax Funds and Charleston County Accommodations Tax Fees.

(iv) King/Huger Drainage Improvement – Approval of a Construction Contract with Gulf Stream Construction Company Inc., in the amount of $5,266,974.52 for the improvement of the surface collection and piped conveyance system for stormwater at the intersection of King St and Huger St. including work to support the future project phase to install a pump station in the area. This amount includes $1,856,820.55 of reimbursable in-contract Charleston Water Systems work. This establishes a project budget of $6,926,407.52 from a combination of Cooper River Bridge TIF funds, an SCRIA Grant, the CWS reimbursable expenses, and the Drainage Fund and authorizes Staff to award and/or amend contracts less than $40,000 to the extent contingency funds exist in this Council Approved Budget.

(v) Peninsula area project and rehabilitation update (Requested by Councilmember Gregorie)

2. Committee on Public Safety: (Meeting was held Tuesday, January 26, 2021 at 2:00 p.m.)

   a. Adoption of Open Data Policy (To be sent under separate cover by the Innovation Office)

3. Committee on Ways and Means:

(Bids and Purchases
(Mayor’s Office for Children Youth and Families: Approval to submit the renewal grant for VISTA, which will allow the City to provide up to 25 VISTA member slots to Charleston non-profits, and to receive 2 VISTA Leaders to serve in MOCYF. There is no match required for the City. Per the terms of the grant, the cost share funding amount is provided through site fees received from participating organizations.)
(Parks-Capital Projects/Stormwater Management: Approval of Low Battery Sewall Repairs-Phase I Aid-to-Construction Agreement and payment to Dominion Energy in the amount of $44,560.38 for providing 17 light fixtures located along Murray Boulevard. The Aid-to-Construction Agreement will be funded from the already existing $25,870,773.53 project budget. The funding sources for this project are: Hospitality Funds ($13,087,957.53), Municipal Accommodations Tax Funds ($12,382,816), and Charleston County Accommodations Tax Fees ($400,000).
(Parks-Capital Projects/Stormwater Management: Approval of the Low Battery Seawall Repairs-Phase II Construction Contract with Gulf Stream Construction Company, Inc., in the amount of $11,976,855.02 for the restoration of the Low Battery Seawall from Ashley Blvd. to Council St. This amount includes $1,370,179.41 of reimbursable in-contract Charleston Water Systems work. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than $40,000.00, to the extent contingency funds exist in the Council Approved Budget. Approval of this will institute a $34,523,134.53 project budget, of which the $11,976,855.02 Construction Contract will be funded. The project budget during Phase I was $25,870,773.53. The growth in the total project budget for Phase II is $8,652,361.00 and is a direct result of additional municipal accommodations tax and hospitality funds allocated during the 2020 and 2021 fiscal years to the project. The funding sources for this project are: Hospitality Funds ($17,087,957.53), Municipal accommodations Tax Funds ($17,035,177.00), and Charleston County Accommodations Tax Fee ($400,000.00).

(Parks-Capital Projects/Stormwater Management: Approval of Low Battery Seawall Repairs-Phase II Fee Amendment #7 in the amount of $565,847.00 with Johnson, Mirmiran and Thompson, Inc., for CEI services for Phase II of the Low Battery Seawall Repairs project from Ashley Blvd. to Council St. Approval of Fee Amendment #7 will increase the professional services contract by $565,847.00 (from $1,879,851.05 to $2,445,698.05). The funding sources for this project are: Hospitality Funds ($17,087,957.53), Municipal Accommodations Tax Funds ($17,035,177.00), and Charleston County Accommodations Tax Fees ($400,000.00).

(Housing and Community Development: Mayor and City Council approval are requested to approve a Memorandum of Agreement in the amount of $200,000 between the City of Charleston and Days Inn, a Hilton Corporation to provide hotel rooms for individuals and families transitioning from homelessness. Persons provided the temporary shelter are clients of nonprofit organizations that have entered into a partnership agreement with the City of Charleston and conduct the necessary support for each individual or family. The City of Charleston provides the funding for the rooms through the Community Development Block Grant Care Act Funding.

(Stormwater Management: Approval of the Huger Street Drainage Improvements Phase I Construction Contract with Gulfstream Construction Company in the amount of $5,266,974.52 for the improvement of surface collection and conveyance system of stormwater at the Huger St./King St. intersection. Construction will also upsize select drainage pipes in the road in preparation for a future pump station. CWS has included their previously planned water line replacement to avoid additional road closure/interruption and reduce future repaving/roadwork. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than $40,000.00, to the extent project contingency funds exist in the Council Approved Budget. Approval of this Construction Contract will institute a project budget of $6,926,407.52 of which $5,266,974.52 will be obligated for the contract. The funding sources for this project are: Cooper River Bridge TIF ($1,157,141.00), SCRRA Grant ($499,292.00), CWS Contribution ($1,856,820.55) and the Drainage Fund ($3,413,153.97).

(Legal Department: Request approval for the Mayor to execute the attached Memorandum of Agreement between the City of Charleston and the Charleston Area Convention Center and Visitors Bureau for the purpose of installing, maintaining, and removing decorative planters hanging from light posts along the King Street commercial corridor.

(Approval to authorize the Mayor to execute, on behalf of the City, the Transfer Agreement conveying 36 Cooper Street to Charleston County Human Services Commission dba Palmetto Community Action Partners for $68,449 for the
development of a minimum of four affordable rental housing units subject to the Affordable Rental Housing Restrictive Covenant Agreement. [Ordinance]

(Approval of Market Horibeck Surface Parking Lot Lease Agreement. (To be sent under separate cover by the Real Estate and Legal Departments)

(Discussion and action regarding request for easement to Dominion Energy to relocate utility switch gear boxes along 179 Nassau St. (Property owned by the City of Charleston: TMS# 4590503001). [Ordinance]

(A Resolution authorizing the Mayor to take all necessary action and execute all necessary documents on behalf of the City of Charleston to accept from the South Carolina Department of Transportation that certain real property currently designated as Charleston County TMS No. 459-05-04-214 and shown as “Parcel H” on that certain plat recorded on January 25, 2012 in Plat Book 112 at page 0029 in the ROD Office for Charleston County, South Carolina.

(Request authorization for the Mayor to execute a Resolution approving the submission of an application for greenbelt funds for the purchase of the property commonly known as the Griffith Lane tract on Johns Island bearing TMS No. 313-00-00-063. (Exhibit A to be sent under separate cover by the Real Estate and Parks Departments)

(An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") a Real Property Exchange Agreement and other documents necessary to convey to America Street Ventures, LLC, or its assigns, the City’s property designated as a portion of TMS No. 459-05-04-209 and TMS No. 459-05-04-220, subject to affordable housing restrictions, in exchange for the conveyance to the City of property designated as TMS Nos. 459-05-04-001, 459-05-04-002, 459-05-04-048, 459-05-04-114, and 459-05-04-115, as shown on the attached map. (AS AMENDED) (See also City Council Agenda Item #L-4) (To be provided under separate cover by the Legal and Housing and Community Development Departments)

(Consider the following annexations:

-- 3486 Maybank Highway (9.62 acres) (TMS# 279-00-00-055), Johns Island, (District 5). The property is owned by St. Johns Center, LLC.

-- 2181 Wappoo Hall Road (0.37 acre) (TMS# 343-01-00-032), James Island, (District 11). The property is owned by Hurley Living Trust.

(An ordinance authorizing the Mayor to execute on behalf of the City a Quit Claim Deed and elimination of possibility of reverter, such possibility of reverter contained in Deed recorded in Book J-543, at page 031 for the property located at the corner of Meeting and Wolfe Streets bearing TMS # 459-09-01-049 in the City and County of Charleston, State of South Carolina and to ratify and adopt any and all modifications or amendments to Ordinance # 2004-150.

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

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") a Transfer Agreement and other documents necessary to convey the property located at 36 Cooper Street (Charleston County TMS No. 459-06-01-008) to Charleston County Human Services Commission, doing business as Palmetto Community Action Partners, for $88,449.00 for the development of a minimum of four (4) affordable housing units, subject to the City’s Affordable Housing Restrictive Covenant Agreement.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") an easement and other documents necessary to provide access rights to certain real property located at 179 Nassau Street (TMS # 4590503001) for the purpose of relocating one gear box and one transformer to Dominion Energy South Carolina, Inc.
An ordinance authorizing the Mayor to execute on behalf of the City a Quit Claim Deed and elimination of possibility of reverter, such possibility of reverter contained in Deed recorded in Book J-543, at page 031 for the property located at the corner of Meeting and Wolfe Streets bearing TMS # 459-09-01-049 in the City and County of Charleston, State of South Carolina and to ratify and adopt any and all modifications or amendments to Ordinance # 2004-150.

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 amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-117, to provide clarification on the one-foot freeboard requirement for substantial improvement of residential structures.

2. An ordinance to provide for the annexation of property known as 1946 Boeing Avenue (0.25 acre) (TMS# 350-13-00-028), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by James Fitzgerald and Amanda L. Rhoden.

3. An ordinance to amend Sec. 2-23(b) of the Code of the City of Charleston to provide for keeping summary minutes and video recordings of its proceedings.

4. An ordinance authorizing the Mayor to execute on behalf of the City of Charleston (“City”) a Real Property Exchange Agreement and other documents necessary to convey to America Street Ventures, LLC, or its assigns, the City’s property designated as a portion of TMS No. 459-05-04-209 and TMS No. 459-05-04-220, subject to affordable housing restrictions, in exchange for the conveyance to the City of property designated as TMS Nos. 459-05-04-001, 459-05-04-002, 459-05-04-048, 459-05-04-114, and 459-05-04-115, as shown on the attached map. (To be sent under separate cover by the Legal and Housing and Community Development Departments)

5. 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)

6. 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)

7. 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)

8. 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)

9. 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)

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

11. 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)

12. 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)

13. 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)

14. 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:

N. Miscellaneous Business:

1. The next regular meeting of City Council will be Tuesday, February 9, 2021 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) 577-1369 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.
Presentations & Recognitions
January 26, 2021

The City of Charleston M&WBE Spotlight Program recognizes local entrepreneurs who are vital to the City of Charleston’s economic growth and awards them for their achievements in developing both their businesses and supporting their communities.

The City of Charleston 2020 MWBE Business Spot-light Winners Are:

1. January: Kathy Jordan, Gibbs Construction Group LLC
2. February: Adrian Williams, Atlantic South
3. March: Marcella Brucellaria, Pedestal Technology
4. April: No spotlight due to covid-19
5. May: Dale Collier, Brownstone Construction Group
6. June: Audrey Whetsell, Resource Partners LLC
7. July: Stephanie Mathias True, Charleston Cotton Exchange
8. August: Rahman Aminee, Rahman’s Painting & Repairs LLC
10. October: Theraun Mixon, Japan Karate Institute James Island LLC
11. November: Kristie Collins, BullzEye Equipment & Supply LLC
12. December: Larry Broadnax, Elite Properties of Charleston
City of Charleston

JOHN J. TECKLENBURG
MAYOR

PROCLAMATION

WHEREAS; Mentoring is the exchange of relational experiences that influence a young person’s ability to navigate the environments and communities in which they learn, work and play; and to coincide with statewide and national efforts during the annual National Mentoring Month; and

WHEREAS; this proclamation recognizes the fact that every day quality mentoring programs in our city connect hundreds of mentors to our young people and cultivate relationships that provide crucial support and guidance as these young adults grow and develop into our next generation of citizens and leaders; and

WHEREAS; one in three young people will grow up without a mentor outside of their family. We endeavor to close the mentoring gap and drive equity one quality mentoring relationship at a time. This month, we reflect on the transformative role mentorship can play and acknowledge the many ways that mentors have helped our next generation of leaders and innovators grow; and

WHEREAS; the City of Charleston is honored to support the work of Samuel Bellamy Jr, the leader behind the movement that is SC Mentors in his efforts to connect national resources, to local mentoring communities that will connect young people across the city with the opportunity to build their agency everywhere they are from schools to the workplace and beyond.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, in honor of him, do hereby proclaim January 2021 as:

NATIONAL MENTORING MONTH

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 18th day of December in the year of 2020.

John J. Tecklenburg, Mayor
PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, January 26, 2021 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, January 26th:

1. Request to speak (via Zoom or telephone) or leave a comment for City Council via voice mail at 843-579-3613. 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://imoveit.charleston-sc.gov/comments;

3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

REZONINGS

1. To rezone 14 F Street (Westside - Peninsula) (Approx. 0.10 acre) (TMS # 463-16-03-041) from Diverse Residential (DR-1) classification to Diverse Residential (DR-2F) classification.

2. To rezone 576 Meeting Street (East Side - Peninsula) (Approx. 2.13 acres) (TMS # 459-01-03-031) from General Business (GB) and Light Industrial (LI) classifications to Mixed-Use Workforce Housing (MLU-WH) classification and rezoning a portion of TMS # 459-01-03-031 (Approx. 1.25 acres) from Old City Height District 2.5-3 classification to Old City Height District 3.5 classification.

ORDINANCE AMENDMENTS

1. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Subsection 15 of Section 54-306 – Old City Height Districts and the footnotes to the Old City Height District chart in Section 54-306.x.

2. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by changing Part 15 (Cluster Development) of Article 2 (Land Use Regulations) to add a new Sec. 54-299.16, providing that cluster developments will no longer be permitted for new developments. (The Planning Commission recommends disapproval)

ZONINGS

1. 2891 Doncaster Drive (Hickory Hill - West Ashley) (0.31 acre) (TMS # 358-10-00-087) Single-Family Residential (SR-1).

2. 333 Fleming Rd. units C1-C4 and D1-D4 (Cross Creek - James Island) (Approx. 0.29 acre) (TMS # 343-07-03-113 through 120 and a portion of 343-07-00-193) Diverse Residential (DR-1F).

JENNIFER COOK
Interim 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) 577-1385 or email schumacherj@charleston-sc.gov three business days prior to the meeting.

C22-1916647-1
Rezonings

1. 14 F St (Westside - Peninsula) TMS # 4631603041 — approx. 0.10 ac. Request rezoning from Diverse Residential (DR-1) to Diverse Residential (DR-2F).

   Motion: APPROVAL  
   1st: LEMPESI  2nd: LESESNE  8-0

   Jimmy Bailey       FAVOR  
   Erika V. Harrison  FAVOR  
   Donna Jacobs      FAVOR  
   Angie Johnson      FAVOR  
   Charlie Karesh    FAVOR  
   Sunday Lempesis   FAVOR  
   Harry Lesesne     FAVOR  
   Chaun Pflug       FAVOR  

2. 578 Meeting St (East Side - Peninsula) TMS # 4590103031 — approx. 2.13 ac. Request rezoning from General Business (GB) and Light Industrial (LI) to Mixed-Use Workforce Housing (MU-1/WH) and to rezone a portion of TMS # 4590103031 (approx. 1.25 ac.) from Old City Height District 2.5-3 classification to Old City Height District 3.5 classification.

   Motion: APPROVAL  
   1st: JACOBS  2nd: BAILEY  8-0

   Jimmy Bailey       FAVOR  
   Erika V. Harrison  FAVOR  
   Donna Jacobs      FAVOR  
   Angie Johnson      FAVOR  
   Charlie Karesh    FAVOR  
   Sunday Lempesis   FAVOR  
   Harry Lesesne     FAVOR  
   Chaun Pflug       FAVOR  

Ordinance Amendments

1. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Subsection 15. Of Section 54-306 — Old City Height Districts and the footnotes to the Old City Height District chart in Section 54-306.x.

   Motion: APPROVAL  
   1st: BAILEY  2nd: JACOBS  8-0

   Jimmy Bailey       FAVOR  
   Erika V. Harrison  FAVOR  
   Donna Jacobs      FAVOR  
   Angie Johnson      FAVOR  
   Charlie Karesh    FAVOR  
   Sunday Lempesis   FAVOR  
   Harry Lesesne     FAVOR  
   Chaun Pflug       FAVOR
2. 333 Fleming Rd, units C1-C4 and D1-D4 (Cross Creek - James Island) TMS # 3430700113-120 and a portion of 3430700193 - approx. 0.29 ac. Request zoning of Diverse Residential (DR-1f). Zoned Single-Family Residential (R-4) in Charleston County.

Motion: **APPROVAL**

<table>
<thead>
<tr>
<th>1st: LESESNE</th>
<th>2nd: BAILEY</th>
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<tbody>
<tr>
<td>Jimmy Bailey</td>
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<td>Erika V. Harrison</td>
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<td>Donna Jacobs</td>
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<td>Angie Johnson</td>
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<td>Sunday Lempesis</td>
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<td>Harry Lesesne</td>
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<td>Chaun Pflug</td>
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AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 14 F STREET (PENINSULA) (APPROXIMATELY 0.10 ACRE) (TMS #463-16-03-041) (COUNCIL DISTRICT 4), BE REZONED FROM DIVERSE RESIDENTIAL (DR-1) CLASSIFICATION TO DIVERSE RESIDENTIAL (DR-2F) CLASSIFICATION. THE PROPERTY IS OWNED BY WILLIAM R JAMES.

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

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

Section 2. The property to be rezoned is described as follows:
14 F Street (Peninsula) (approximately 0.10 acre) (TMS #463-16-03-041)

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: __________________________
Jennifer Cook
Clerk of Council
REZONING 1

14 F St (Westside - Peninsula)

TMS # 4631603041

approx. 0.10 ac.

Request rezoning from Diverse Residential (DR-1) to Diverse Residential (DR-2F).

Owner: William R James
Applicant: Chamberlain Chesnut
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 578 MEETING STREET (PENINSULA) (APPROXIMATELY 2.13 ACRES) (TMS #459-01-03-031) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) AND LIGHT INDUSTRIAL (LI) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-1/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY EXCHANGE REAL ESTATE HOLDINGS 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) and Light Industrial (LI) classification to Mixed-use/Workforce Housing (MU-1/WH) classification.

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

578 Meeting Street (Peninsula) (approximately 2.13 acres) (TMS #459-01-03-031)

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:

________________________

Jennifer Cook
Clerk of Council
REZONING 2

578 Meeting St (East Side - Peninsula)

TMS # 4590103031

approx. 2.13 ac.

Request rezoning from General Business (GB) and Light Industrial (LI) to Mixed-Use Workforce Housing (MU-1/WH) and to rezone a portion of TMS # 4590103031 (approx. 1.25 ac.) from Old City Height District 2.5-3 classification to Old City Height District 3.5 classification.

Owner: Exchange Real Estate Holdings LLC
Applicant: Thomas & Hutton Engineering Co.
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT A PORTION OF 578 MEETING STREET (PENINSULA) (APPROXIMATELY 1.25 ACRES) (TMS #459-01-03-031) (COUNCIL DISTRICT 4), BE REZONED FROM 2.5-3 STORY OLD HEIGHT DISTRICT CLASSIFICATION TO 3.5 STORY OLD HEIGHT DISTRICT CLASSIFICATION. THE PROPERTY IS OWNED BY EXCHANGE REAL ESTATE HOLDINGS 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 2.5-3 Story Old Height District classification to 3.5 Story Old Height District classification.

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

a portion of 578 Meeting Street (Peninsula) (approximately 1.25 acres) (TMS #459-01-03-031)

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: ________________________

Jennifer Cook
Clerk of Council
REZONING 2

578 Meeting St (East Side - Peninsula)

TMS # 4590103031

approx. 2.13 ac.

Request rezoning from General Business (GB) and Light Industrial (LI) to Mixed-Use Workforce Housing (MU-1/WH) and to rezone a portion of TMS # 4590103031 (approx. 1.25 ac.) from Old City Height District 2.5-3 classification to Old City Height District 3.5 classification.

Owner: Exchange Real Estate Holdings LLC
Applicant: Thomas & Hutton Engineering Co.
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SUBSECTION 15. OF SECTION 54-306 – OLD CITY HEIGHT DISTRICTS AND THE FOOTNOTES TO THE OLD CITY HEIGHT DISTRICT CHART IN SECTION 54-306.X.

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

Section 1. Subsection 15. of Sec. 54-306. of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the text shown below with a double-underline:

“15. An applicant seeking a height rezoning shall only be able to request a rezoning to the next higher height district, except for applicants seeking a rezoning to the Upper Peninsula Zoning district. Requests to rezone to a higher height district shall be evaluated, in part, on the context of the property, the character of the immediate area, street widths around the property, and whether the requested rezoning will be compatible with surrounding properties.”

Section 2. The footnotes under the Height District Chart in Sec. 54-306.X. of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) are hereby amended by deleting text shown below with a strikethrough and adding text shown below with a double-underline:

“Sec. 54-306.X. - Height district chart.

<table>
<thead>
<tr>
<th>Charleston Height Districts</th>
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<tbody>
<tr>
<td>Height District</td>
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<td>2.5</td>
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<td>2.5/3</td>
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</tbody>
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1 The 2.5/3 district is not eligible for height rezonings as it is a specific, map-based height district. Building heights in this district may be restricted by street right-of-way.

2 The 4/12 district is not eligible for height rezonings as it is tied to the base zoning of the property. It can be rezoned to another base zoning district concurrently with the height rezoning.

Section 3. This Ordinance shall become effective upon ratification.

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

John J. Tecklenburg, Mayor

ATTEST:

Clerk of Council
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY CHANGING PART 16 (CLUSTER DEVELOPMENT) OF ARTICLE 2 (LAND USE REGULATIONS) TO ADD A NEW SEC. 54-299.16, PROVIDING THAT CLUSTER DEVELOPMENTS WILL NO LONGER BE PERMITTED FOR NEW DEVELOPMENTS.

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

Section 1. That Part 16 (Cluster Development) of Article 2 (Land Use Regulations) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following Sec. 54-299.16, as follows:

Sec. 54-299.16. – Sunset.

On or after October 13, 2020 (the “Sunset Date”), cluster developments shall not be permitted under this Part; provided, however, this Part shall continue to apply to the following developments:

(a) Developments which have obtained a vested right for a cluster development under this Part before the Sunset Date.

(b) Future developments identified in a phased development plan as being developed as a cluster development under this Part if one or more phases included in the phased development plan have obtained a vested right for a cluster development under this Part before the Sunset Date.

(c) Developments which have been developed under an approved cluster development under this Part before the Sunset Date.

Once approved, the developments identified in (a)-(c) shall be considered conforming for purposes of this Chapter, subject to all conditions and limitation set forth in this Part and the approved development plan for any such development.
Section 2. This ordinance shall become effective upon ratification; provided, however, the pending ordinance doctrine shall apply as of the Sunset Date.

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: ______________________
            Jennifer Cook
            Clerk of Council
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2891 DONCASTER DRIVE (WEST ASHLEY) (APPROXIMATELY 0.31 ACRE) (TMS #358-10-00-087) (COUNCIL DISTRICT 10), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 15, 2020 (#2020-178), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY DEBRA SOTTILE.

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:

2891 Doncaster Drive (West Ashley) (approximately 0.31 acre) (TMS #358-10-00-087)

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:

Jennifer Cook
Clerk of Council
ZONING 1

2891 Doncaster Dr (Hickory Hill - West Ashley)

TMS # 3581000087

0.31 ac.

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

Owner: Debra Sottile
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 333 FLEMING RD, UNITS C1-C4 AND D1-D4 (JAMES ISLAND) (APPROXIMATELY 0.29 ACRE) (TMS #343-07-00-113 THROUGH 120 AND A PORTION OF 343-07-00-193) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 12, 2021 (#), BE ZONED DIVERSE RESIDENTIAL (DR-1F) CLASSIFICATION. THE PROPERTY IS OWNED BY AV ZG SOUTHCOURT, LLC.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

333 Fleming Rd, units C1-C4 and D1-D4 (James Island) (approximately 0.29 acre) (TMS #343-07-00-113 through 120 and a portion of 343-07-00-193)

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

__________________________
Jennifer Cook
Clerk of Council
ZONING 2

333 Fleming Rd, units C1-C4 and D1-D4
(Cross Creek - James Island)

TMS # 3430700113-120 and a portion of 3430700193
approx. 0.29 ac.

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

Owner: AV ZG Southcourt, LLC
AN EMERGENCY ORDINANCE


INCIDENT TO THE ADOPTION OF THIS ORDINANCE, CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT:

1. In December 2019, an outbreak respiratory illness due to a novel coronavirus (COVID-19), was first identified and, subsequently, has spread across the world, including the United States.

2. It is well recognized that COVID-19 presents a public health concern that requires extraordinary protective measures and vigilance.

3. 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.
4. On March 16, 2020, Mayor John J. Tecklenburg (the “Mayor”) declared a local state of emergency in the City of Charleston based on a determination that, in furtherance of public health and safety, the City should take all necessary steps to protect the citizens from increased risk of exposure to COVID-19.

5. Between March 16, 2020 and the present, City Council has enacted and extended a series of temporary emergency ordinances intended to combat the public health and adverse economic impact from COVID-19.

6. For example, 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.

7. 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.

8. 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.

9. 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).

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

11. On July 28, 2020, the Mayor 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. 2020-90), and amending the face covering ordinance (Ordinance No. 2020-91).

12. 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,

13. On September 22, 2020, in response to the continuing public health emergency, the Mayor issued a declaration continuing the local state of emergency in the City, and City Council approved amendments to the City’s Emergency Ordinance No. 2020-100 to prohibit amplified music in bars and restaurants after 11 pm and also extended certain emergency ordinances related to addressing COVID-19 and its impacts on the community (Ordinance Nos. 2020-129 and 2020-130).

14. On October 13, 2020, City Council amended Emergency Ordinance No. 2020-100 to incorporate the restrictions and conditions on bars and restaurant operations set forth in Governor McMaster’s Executive Order No. 2020-63 (Ordinance No. 2020-134) and extended Emergency Ordinance No. 2020-60 related to continuing outdoor dining areas and sidewalk dining by temporarily superseding and replacing conflicting provisions of the City’s zoning ordinances or regulations.

15. As of October 19, 2020, DHEC identified at least 134,135 confirmed cases of COVID-19 in South Carolina, including 3,650 deaths, with 16,628 confirmed cases and 271 deaths in Charleston County and 5,815 confirmed cases and 93 deaths in Berkeley County.

16. As of November 15, 2020, DHEC reported that there were at least 184,360 confirmed cases of COVID-19 in South Carolina, including 3,846 deaths and the positivity rate was 15.4% of individual test results, such report also showing 18,571 confirmed cases in Charleston County with 288 deaths and 6,693 confirmed cases in Berkeley County with 98 deaths.

17. As of January 2, 2021, DHEC reported that there were at least 325,472 confirmed and probable cases of COVID-19 in South Carolina, including 5,484 deaths and the positivity rate was 15.9% of individual test results, such report also showing 25,041 confirmed and probable cases in Charleston County with 323 deaths and 9,533 confirmed and probable cases in Berkeley County with 113 deaths.

18. Section 45-3-10 of the South Carolina Code authorizes the City to provide by ordinance such rules and regulations regarding the conduct and operation of hotels, restaurants, cafes, and lunch counters within the City as to provide for the public health, comfort and convenience.

19. To stimulate the recovery of businesses in the City and to support local businesses, City Council has determined that certain provisions of the City’s ordinances requiring off-street parking for existing buildings within a specific area along King Street should be temporarily suspended.

20. Due to concerns over adverse impacts, it is necessary to limit the boundaries of the area in which off-street parking requirements will be suspended and to make the suspension temporary.
21. Based on the parking facilities available in the designated area and the uses contained therein, City Council finds the area designated herein as appropriate for the suspension of off-street parking requirements.

22. The businesses within the specified area have played a vital role in the growth of Charleston, economically and in other respects. Such businesses have substantially contributed to the City becoming the number one tourist destination in the world.

23. The COVID-19 pandemic has had a devastating impact on the businesses, owners, and tenants of the properties located in the specified area.

24. Notwithstanding the unmistakably positive economic impact that the designated area has had on the City, such area also has a significant positive impact on the health and welfare of the City’s residents.

25. A full economic recovery within the City after the demise of the current pandemic is critical to the recovery of the health, welfare, culture, and economy of the City and its residents.

26. The City should maximize the use of existing spaces within buildings in the specified area, while minimizing adverse impacts from, among other things, traffic on residential areas and on the public rights-of-way within the City.

27. Such a policy serves a compelling government interest by substantially increasing the ability of this area of the City to remain open during the current pandemic and to fully recover after the pandemic subsides, preserving the important positive impact of such area on the health, welfare, culture, and economy of the City.

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

Section 1. That Sec. 54-511 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following new Sec. 54-511.c:

(1) **Intent.** A new parking overlay zone, to be known as the Special Parking District, SPD Overlay Zone is hereby established to facilitate the occupancy of buildings existing as of November 30, 2020, within the district.

(2) **Exempt Properties.** Except as set forth in Sec. 54-511.c.(3), buildings on properties located in the Special Parking District Overlay Zone, as shown on the City’s zone map, shall be exempt from the minimum off-street parking requirements set forth in Sec. 54-208.1, Sec. 54-220, Sec. 54-317.a and Table 3-3 (Off-Street Parking Requirements).

(3) **Exceptions.** Notwithstanding Sec. 54-511.c.(2), any building or structure, or any extension or expansion of an existing building or structure, constructed on or after December 1, 2020 shall not be exempt from the minimum off-street parking requirements.
Section 2. That Sec. 54-202 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following new Sec. 54-202.n:

n. Special Parking District, SPD Overlay Zone. See Sec. 54-511.c.


Section 4. This Ordinance shall become effective upon enactment and shall expire on March 26, 2021, unless otherwise modified, amended, extended, or rescinded by a subsequent City Ordinance to protect the health, safety, and welfare of the City of Charleston.

Enacted in City Council this 26th day of January, in the Year of Our Lord 2021, in the 245th Year of the Independence of the United States of America

By:

______________________________
John J. Tecklenburg
Mayor

ATTEST:

______________________________
Jennifer Cook
Clerk of Council