CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Seekings

C. Pledge of Allegiance

D. Presentations and Recognitions
   1. Recognition of the State Champion 11-12 year old City of Charleston All Star Boys Basketball Team
   2. Proclamation recognizing Genocide Awareness and Prevention 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.)
   1. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-263, the Daniel Island Master Plan Zoning text, to add provisions that allow the Visual Buffer Zone Setback to be reduced or eliminated and allow the Visual Buffer Zone to be reduced when conditions specified in the new provisions are met (AS AMENDED).
   2. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) pertaining to Article 2, Part 15 – Mixed Use 1 - Workforce Housing district and Mixed Use 2 - Workforce Housing District (SECOND READING)
   3. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to strengthening Workforce Housing. (SECOND READING)
   4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-206 and Section 54-207 to make parking for churches a conditional use within the Conservation and all Residential Zoning Districts. (SECOND READING)

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:
   1. March 14, 2019
H. Citizens Participation Period

I. Petitions and Communications:
   a. Resolution for the reinterment of remains found at the Gaillard Center
   b. Board and Commission Appointments and Reappointments:
      i. Resiliency & Sustainability Advisory Committee
      ii. Commission on Disability Issues
      iii. Accommodations Tax Advisory Committee
      iv. Board of Architectural Review – Large
      v. Commission on Women
   c. Discussion of attendance at Boards and Commission Meetings

J. Council Committee Reports:

1. Committee on Public Safety: (Meeting was held on Monday, March 25, 2019 at 4:00 p.m.)
   i.) Report in accordance with the Civil Sidewalks Ordinance
   ii.) An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 28, Section 45 to include streets crossing King Street for one block in either direction of King Street between and including Line and Broad Streets and streets crossing North and South Market Streets for one block in either direction of North and South Market Streets between King Street and East Bay Streets.

Give first reading to the following bill from Public Safety:

An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 28, Section 45 to include streets crossing King Street for one block in either direction of King Street between and including Line and Broad Streets and streets crossing North and South Market Streets for one block in either direction of North and South Market Streets between King Street and East Bay Streets.

2. Committee on Public Works and Utilities: (Meeting was held on Tuesday, March 26, 2019 at 3:00 p.m.)
   a. Stormwater Management Department Update
b. Miscellaneous Business *(Action may or may not be taken on any of the below items)*:

(i) Updates from Project Managers
(ii) Update from Floodplain Manager

3. Committee on Ways and Means:

(Bids and Purchases
(Police Department: Approval to submit the FY19 Homeland Security Grant in the amount of $120,000 that requests funding for a MWC equipment truck for the purpose of underwater response/swiftwater rescue operations. The application for this grant is due 3/31/19. This grant does not require a City match.

(Fire Department: Approval to apply for the FM Global Fire Prevention Grant Program in the amount of $4,000 for the Fire Marshal Department. Funds will be used to purchase the scene lighting for fire investigations. No City match is required.

(Office of Cultural Affairs: Approval to apply for $6,000 in funding from the South Carolina Department of Parks, Recreation & Tourism for tourism advertising funding. Funds will be used to support the 2019 MOJA Arts Festival. A 2:1 City match is required. Matching funds will come from corporate sponsorships and paid admissions.

(An ordinance to amend the description of the Charleston Neck Redevelopment Project area as established by Ordinance No. 2004-151; to amend the Public Infrastructure Improvements Agreement dated as of September 1, 2015 between the City of Charleston, South Carolina and Highland Resources, Inc., as successor to Ashley River Investors, LLC; and other matters relating thereto.

(Public Service: Approval of a Master Agreement for Professional Services between the City of Charleston and AECOM Technical Services, Inc. *(To be sent under separate cover by the Legal Department)*

(Request approval of the Amendment to Lease for tenant improvements at 2093 Executive Hall Road required for police forensics accreditation in the amount of $10,780. The property is owned by Traverse Point, LLC. (TMS: 351-01-00-049)

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

An ordinance to amend the description of the Charleston Neck Redevelopment Project area as established by Ordinance No. 2004-151; to amend the Public Infrastructure Improvements Agreement dated as of September 1, 2015 between the City of Charleston, South Carolina and Highland Resources, Inc., as successor to Ashley River Investors, LLC; and other matters relating thereto.

K. Bills up for Third Reading:

1. An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-117 to increase the Freeboard Requirement from one foot to two feet, effective August 1, 2019. *(AS
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 authorize the execution and delivery of Lease/Purchase Agreements with Banc of America Public Capital Corp. in order to provide for the acquisition of certain Police, Fire, Public Service, Fleet, Stormwater and various other vehicles and equipment; to provide the terms and conditions of such Lease/Purchase Agreements; to provide for the granting of a security interest to secure all obligations of Lessee under the Lease/Purchase Agreements; to authorize the execution and delivery of all documents necessary or appropriate to the consummation of such Lease/Purchase Agreements; and to provide for other matters related thereto.

2. An ordinance to provide for the annexation of a vacant lot on Stinson Drive (0.99 acre) (TMS# 350-05-00-095), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Rale MGMT LLC. (DEFERRED)

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 vacant lot on Stinson Drive (West Ashley) (0.99 acre) (TMS #350-05-00-095) (Council District 11), be zoned Diverse Residential (DR-1) classification. The property is owned by Rale MGMT LLC. (DEFERRED)

4. An ordinance to provide for the annexation of property known as Clements Ferry Road (16.40 acres) (TMS# 275-00-00-005), 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 IVO Sands LLC. (DEFERRED)

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 property on Clements Ferry Road (Cainhoy) (approximately 16.40 acres) (TMS #275-00-00-005) (Council District 1), be zoned Rural Residential (RR-1) classification. The property is owned by IVO Sands LLC. (DEFERRED)

6. An ordinance to provide for the annexation of property known as 1415 S Edgewater Drive (0.72 acre) (TMS# 349-13-00-095), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Robert F. Kauffmann. (DEFERRED)

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 1415 South Edgewater Drive (West Ashley) (0.07 acre) (TMS #349-13-00-095) (Council District 11), be zoned Single-Family Residential (SR-1) classification. The property is owned by Robert F. Kauffmann. (DEFERRED FOR PUBLIC
8. An ordinance to provide for the annexation of property known as 1389 River Road (10.94 acres) (TMS# 311-00-00-025), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Knapp A Partnership. (DEFERRED)

9. An ordinance to provide for the annexation of property known as 1381 River Road (1.28 acres) (TMS# 311-00-00-097), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Knapp A Partnership. (DEFERRED)

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 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from Light Industrial (LI) classification to Upper Peninsula (UP) classification. The property is owned by Joe Singleton. (DEFERRED)

11. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Joe Singleton. (DEFERRED)

12. 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 King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from Single-Family Residential (SR-1) classification to Upper Peninsula (UP) classification. The property is owned by Horace A. Rooke. (DEFERRED)

13. 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 King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Horace A. Rooke. (DEFERRED)

14. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 141 Meeting Street and 174 King Street (Peninsula) (1.061 acres) (TMS #457-08-04-003) (Council District 1), be rezoned from General Business (GB) classification to Urban Commercial (UC) classification. The property is owned by SCE&G. (DEFERRED)

15. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to remove residential uses, nursing and personal care uses, and school uses from the Light Industrial (LI) and Heavy Industrial (HI) Zone Districts. (DEFERRED)
16. An ordinance to close and abandon Kinlock Court, a City right-of-way, said right-of-way running westerly approximately 200 feet from meeting street to the Interstate 26 right-of-way; and to further authorize the Mayor to execute Quit Claim Deeds and any other necessary documents, approved as to form by the Office of Corporation Counsel, to the owners of those properties abutting each side of Kinlock Court, conveying to each owner one-half of the width of Kinlock Court as said Kinlock Court abuts each owner’s property, subject to any and all easements or other matters of record. (DEFERRED)

M. Bills up for First Reading

1. An ordinance to amend Part 15 (Mixed Use 1 - Workforce Housing District Mixed Use 2 - Workforce Housing District) of Article 2 (Land Use Regulations) of Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance), to implement the Federal Opportunity Zone Program, by creating certain incentives to encourage the development of “Opportunity Units” for households with incomes less than or equal to 60% of the Area Median Income (AMI).

2. An ordinance to amend Division 2 (Tourism Commission) of Article II (Administration and Enforcement) of Chapter 29 of the Code of the City of Charleston, South Carolina (Tourism Ordinance), by striking references in Sec. 29-33 to the Mayor’s Office of Tourism and inserting instead references to the Department of Livability and Tourism, and by adding language to Sec. 29-33 emphasizing the application of Robert’s Rules of Order to the conduct of business before the Commission.

3. An ordinance to amend Chapter 29, Article V, Sec. 29-206 (a), 29-208 (c) (5) and (c) (6), Sec. 29-209, and Sec. 29-212 (b) and (c) (1) of the Code of the City of Charleston pertaining to the gatekeeper loading and medallion issuance procedure, recording of tour information, sanitation communication, and management requirements.

4. An ordinance to amend Chapter 29 of the Code of the City of Charleston by adding regulations pertaining to the blocking of the public right-of-way by walking tours.

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 200 Spring Street (Peninsula) (0.412 acre) (TMS #460-11-01-011) (Council District 3), be rezoned to be included in the Accommodations Overlay Zone (A) classification. The property is owned by 200 Spring Street Development LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)

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 217 Ashley Avenue (Peninsula) (0.33 acre) (TMS #460-11-04-080) (Council District 8), be rezoned from Diverse Residential (DR-2F) classification to Limited Business (LB) classification. The property is owned by Trust of Robert J. Lowe, Jr. & Trust of Gwendolyn M. Lowe. (The Planning Commission recommends disapproval.) (DEFERRED)
7. An ordinance to amend Chapter 21, Article II of the Code of the City of Charleston by adding a new Section 21-17 that prohibits building construction operations during certain hours. *(DEFERRED)*

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 property located on Sheppard Street and Saint Philip Street (Peninsula) (approximately 0.69 acre) (TMS #460-04-04-078, 460-04-04-080 and 460-04-04-086) (Council District 4), be rezoned to include it in the Short Term Rental Overlay Zone (ST) classification. The property is owned by Lowcountry Marketing Group LLC. *(DEFERRED)*

9. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone, by inserting language to preserve Mixed-Use Districts; prohibit the displacement of housing by accommodations and consider the effects of housing units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the housing units should be attached to an accommodations special exception approval; prohibit the displacement or reduction of office space by accommodations to be located within areas on the peninsula designated "A-1" on the Accommodations Overlay Zoning Map and on streets with office use as a predominant use; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on streets with ground floor, store front retail as a dominant use; and prohibit an overconcentration of accommodations units within areas on the peninsula designated "A-1" on the Accommodations Overlay Zoning Map *(DEFERRED)*

10. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to incentive options and particularly strengthening Workforce Housing; and by amending Sec. 54-201 (V), Base Zoning Districts to correct Upper Peninsula District; and by amending Article 3, Part 2, Sec 54-305 (B) pertaining to Upper Peninsula District; and by amending Article 3, Part 1, Sec. 54-301, Table 3.1 Height, Area and Setback Regulations, footnote 24, pertaining to correcting the Section number; and by amending Article 4, Part 4, Sec. 54-420, Table 1.2 allowed sign types by Zoning District to add Upper Peninsula District; and by amending Article 1, Part 1, Sec. 54-102 (b), Base Zoning District Classifications to add Upper Peninsula District. *(DEFERRED)*

**M. Miscellaneous Business:**

1. The next regular meeting of City Council will be Tuesday, April 9, 2019 at 5:00 p.m. at City Hall, 80 Broad Street.

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

WHEREAS, the term “genocide” is used to describe a coordinated plan of action aimed at the destruction of the foundations of the lives of national groups, with the intent to annihilate a group by disintegrating political and social institutions, culture, language, national identity, religion, economic existence and destroying personal security, liberty, health, dignity, and individual lives; and

WHEREAS, following the Holocaust, on December 9, 1948, the United Nations General Assembly adopted Resolution 260 (III) A, the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, declaring genocide to be a crime under international law, and defining genocide to include the commission of certain acts, including killing members of the group, causing serious bodily or mental harm to members of the group, imposing measures intended to prevent births within the group, and forcibly transferring children of the group to another group, with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group; and

WHEREAS, genocide and mass atrocities are crimes which have been perpetrated in countless instances before and after the Holocaust, including in Armenia, Cambodia, Bosnia, Rwanda, Sudan, Syria, Myanmar, and the United States, through the displacement of indigenous peoples and the enslavement of African and African-American peoples; and

WHEREAS, as home to people who have endured genocide and mass atrocities in their countries of origin, the City of Charleston condemns all acts of genocide and identity-based violence, and desires to counteract attitudes of intolerance, racism, anti-Semitism, hatred, and extremism that enable mass violence; and

WHEREAS, all acts of genocide and mass atrocities leave a legacy of trauma and inequality that must be healed and resolved in order for a society to move forward. Together We Remember is an organization dedicated to ending all forms of identity-based violence, including genocide, through remembrance vigils that encourage communities to face historical traumas and take peaceful action to address them through dialogue, education, technology, and advocacy; and

WHEREAS, expert bodies have found that in order to prevent future genocides and mass atrocities, effective prevention measures must be implemented before a crisis erupts, and educating the public can help to protect individual rights and promote a culture of lawfulness and moral courage; and

WHEREAS, educating the public about the nature and progression of mass violence, from dangerous speech to genocide, and commemorating victims and survivors of all forms of identity-based violence, including the adoption of a Genocide Awareness and Prevention Month resolution, are effective tools that will further these goals.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, on behalf of City Council and all of our citizens, do hereby proclaim April, 2019 as:

GENOCIDE AWARENESS AND PREVENTION MONTH

IN WITNESS WHEREOF, I do hereby set my hand and cause the seal of Charleston to be affixed, this 26th day of March in the year of 2019.

John J. Tecklenburg, Mayor
PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, March 26, 2019 beginning at 5:00 p.m. at City Hall, 80 Broad Street, on the request that the Zoning Ordinance of the City of Charleston be changed in the following respects:

ORDINANCE AMENDMENTS
1. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-263, the Daniel Island Master Plan zoning text, to add provisions that allow the visual buffer zone setback to be reduced or eliminated and allow the visual buffer zone to be reduced when conditions specified in the new provisions are met.
2. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending provisions pertaining to Article 2, Part 15 – Mixed Use 1 - Workforce Housing District and Mixed Use 2 - Workforce Housing District.
3. To amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to strengthening workforce housing.
4. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-206 and Section 54-207 to make parking for churches a conditional use within the Conservation and all residential zoning districts.

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.

C22-1773546-1
CITY OF CHARLESTON
PLANNING COMMISSION MEETING REPORT

MEETING OF FEBRUARY 20, 2019

A meeting of the City of Charleston Planning Commission was held at 5:00 p.m., on Wednesday, February 20, 2019 in the Public Meeting Room, 1st Floor, 2 George St. The following applications were considered:

REZONINGS

1. Clements Ferry Rd (Cainhoy) – TMS# 2680000133 (a portion) – approx. 146.61 ac. Request rezoning from Light Industrial (LI) to General Business (GB) and Diverse Residential (DR-1).
   DEFERRED BY THE APPLICANT

2. 1108 Wappoo Rd (West Ashley) – TMS# 3511600026 – 3.70 ac. Request rezoning from Job Center (JC) to General Business (GB).
   WITHDRAWN BY THE APPLICANT

ZONING

1. Vacant lot on Stinson Dr (West Ashley) TMS# 3500500095 – 0.99 ac. Request zoning of Diverse Residential (DR-1F), Zoned Mixed Style Residential (M-12) and Dupont Wappoo Area Overlay in Charleston County.
   RECOMMENDED APPROVAL

ORDINANCE AMENDMENTS

1. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-263, the Daniel Island Master Plan zoning text, to add provisions that allow the visual buffer zone setback to be reduced or eliminated and allow the visual buffer zone to be reduced when conditions specified in the new provisions are met.
   RECOMMENDED APPROVAL

2. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending provisions pertaining to Article 2, Part 15 – Mixed Use 1 - Workforce Housing District and Mixed Use 2 - Workforce Housing District.
   RECOMMENDED APPROVAL

3. Request approval to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to strengthening workforce housing.
   RECOMMENDED APPROVAL
AN ORDINANCE

2/20/2019 Planning Commission recommends approval with condition that wording is added to mitigate reductions to the Visual Buffer Zone
3/26/2019 Public Hearing at City Council

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-263, THE DANIEL ISLAND MASTER PLAN ZONING TEXT, TO ADD PROVISIONS THAT ALLOW THE VISUAL BUFFER ZONE SETBACK TO BE REDUCED OR ELIMINATED AND ALLOW THE VISUAL BUFFER ZONE TO BE REDUCED WHEN CONDITIONS SPECIFIED IN THE NEW PROVISIONS ARE MET

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

Section 1. Section 54-263 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting text shown below with a double underline:

"Within the DI-PUD District, land may be used and buildings erected, altered, or used pursuant to the Daniel Island Master Plan Zoning Text, adopted by Ordinance 1993-32 on March 23, 1993; and amended by Ordinance 1994-440 on December 20, 1994, and Ordinance 1995-160 on May 9, 1995; and Ord. No. 2015-075, §§ 1, 2, on July 21, 2015; and amended by Ord. No. 2015-141, §§ 1, 2, on October 13, 2015; and amended by Ord. No. 2019- , on , made a part hereof."

Section 2. Section 4.0: Specific Standards By Zone, of the Daniel Island Master Plan Zoning Text, which is part of Chapter 54 of the Code of the City of Charleston (Zoning..."
Ordinance) is hereby amended by amending subsection 4.1(12) pertaining to the Daniel Island Residential zone district to read as follows (new text in **bold**):

"4.1(12) **Visual Buffer Zone Setback.**
The minimum setback from the Visual Buffer Zone for principal and accessory buildings is 10 feet, **except as permitted in Section 8: Exceptions to Lot and Building Regulations.** Rear and side yards are allowed in the platted Visual Buffer Zone, but buildings and other land disturbance activities are prohibited. See Section 5.4 for specific Visual Buffer Zone standards."

Section 3. Section 5.0: Open Space, of the Daniel Island Master Plan Zoning Text, which is part of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by amending subsection 5.4(9) pertaining to the Visual Buffer Zone standards to read as follows (new text in **bold**):

"5.4(9) The Side Yard may be located within the Visual Buffer Zone; however, no building shall be built within ten (10') feet of the Visual Buffer Zone, except in the Public Waterfront. Notwithstanding the above, Lots 29, 30, 35, 36 and 39, in Parcel G, Block A. shall not be required to have a ten (10') foot Side Yard building setback from the Visual Buffer Zone but shall have a three (3') foot Side Yard building setback measured from the Visual Buffer Zone, rather than from the Lot boundary. See Section 8: Exceptions to Lot and Building Regulations for additional exceptions."

Section 4. Section 8.0: Exceptions to Lot and Building Regulations, of the Daniel Island Master Plan Zoning Text, which is part of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding a new subsection which shall read as follows:

"8.3 The Zoning Administrator may grant exemptions to reduce or eliminate the Visual Buffer Zone building setback, and reduce the Visual Buffer Zone when a new critical line delineation approved by OCRM on a vacant lot shows a landward shift of a previously approved critical line delineation and the applicant demonstrates that the proposed house would have met the Visual Buffer Zone setback requirement that was in effect when the lot was originally platted. This exemption shall not apply to lots that have had houses constructed on them. **Reductions to the Visual Buffer Zone or Visual Buffer Zone building setback on a lot shall only be approved if landscape plans are provided to the zoning administrator that satisfy the intent of the Visual Buffer Zone by meeting or exceeding the Visual Buffer Zone planting requirements included in Section 5.4(5)(1) and (2) for the entire length of the Visual Buffer Zone on the lot.**"
Section 5. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of ________, in the Year of Our Lord, 2019, and in the _____ Year of the Independence of the United States of America

______________________________
John J. Tecklenburg, Mayor

ATTEST:

______________________________
Vanessa Turner Maybank, Clerk of Council
AN ORDINANCE

TO AMEND PROVISIONS OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) PERTAINING TO ARTICLE 2, PART 15 – MIXED USE 1 - WORKFORCE HOUSING DISTRICT AND MIXED USE 2 - WORKFORCE HOUSING DISTRICT.

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

Section 1. Article 2, Part 15 – Mixed Use 1 – Workforce Housing District and Mixed Use 2 – Workforce Housing District, Sec. 54-299.2 Land uses, subsection c, first paragraph, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (deleted text with strikethrough):

   c. Fee payment in lieu of units (rental units only): In lieu of providing on site rental workforce housing units, a developer may choose to contribute a fee, on a per unit basis, to the City's Affordable/Workforce Housing Account for any or all of the number of workforce housing units required for the development.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2019,
and in the _____ rd Year of the Independence of
the United States of America

__________________________
John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

__________________________
Vanessa Turner Maybank,
Clerk of Council
AN ORDINANCE

TO AMEND PROVISIONS OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING PART 17 – UPPER PENINSULA DISTRICT PERTAINING TO STRENGTHENING WORKFORCE HOUSING.

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

Section 1. Article 2, Part 17 – Upper Peninsula District, Sec. 54-299.32 Incentive options, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding thereto a new subsection i. under General requirements for incentive options, which shall read as follows:

i. Each building that utilizes height bonuses to exceed four (4) stories or density bonuses and includes residential uses shall provide owner occupied workforce housing units for qualified households whose household income does not exceed one hundred twenty (120%) percent of AMI and/or rental workforce housing units for qualified households whose household income does not exceed eighty (80%) percent of AMI that total at minimum ten (10%) percent of the number of residential units in the building, rounded up to the next whole number, and subject to all applicable requirements and definitions in Part 17- Upper Peninsula District, particularly Sec.54-299.32, 7) Workforce Housing. The aforementioned workforce housing units are eligible to earn incentive option points should all requirements to earn points be met.
Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_______________ in the Year of Our Lord, 2019,
and in the _____rd Year of the Independence of
the United States of America

_______________________________
John J. Tecklenburg
Mayor, City of Charleston

ATTEST: ________________________
Vanessa Turner Maybank
Clerk of Council
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-206 AND SECTION 54-207 TO MAKE PARKING FOR CHURCHES A CONDITIONAL USE WITHIN THE CONSERVATION AND ALL RESIDENTIAL ZONING DISTRICTS

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

Section 1. Subsection c. of Section 54-206 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to make parking for church uses a conditional use within the Conservation and all residential zones to read as follows (new text in **bold** and deleted text with **strikethrough**):

c. Church. **Church uses, except parking for church uses**, shall only be permitted as an exception within the Conservation and all residential zones where the Board, after review, finds that **it buildings** will not be closer than twenty-five (25) feet to an adjoining property line and that the required off-street parking spaces, **separated from property lines by an appropriate buffer strip**, will be provided. **Parking for church uses within the Conservation and all residential zones shall be permitted as a conditional use under Section 54-207, y.**

Section 2. Section 54-207 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting a new subsection to allow parking for church uses within Conservation and all residential zones as a conditional use, which shall read as follows:

“y. Parking for church uses within the Conservation and all residential zones shall be permitted as a conditional use if parking areas satisfy landscaping and landscape buffer requirements of this Chapter and receive approval from the Technical Review Committee pursuant to Article 6.”
Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of ______________, in the Year of Our Lord 2019, 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
WHEREAS, the City of Charleston is the owner of that certain parcel of land known as 77 Calhoun Street, in the City and County of Charleston, State of South Carolina, bearing TMS #458-01-01-001, being bounded on the North by Calhoun Street, on the East by Alexander Street, on the South by George Street, and on the West by Anson Street (the "Property").

WHEREAS, in the course of constructing the Gaillard Center, human remains were discovered on the Property (the "Remains") and thereafter the City Council of Charleston approved a Resolution providing that it was necessary and in the public interest to have the Remains removed from their original location ("Original Location") and stored securely at an interim location. City Council further resolved that the Remains be studied and documented by archeologists to learn as much as possible about the history of the Remains prior to reinterment. A copy of such Resolution is marked as Exhibit 1, which is attached hereto and incorporated by reference herein.

WHEREAS, in accordance with the South Carolina Code of Laws, Section 27-43-10, et seq., as amended, the City caused to be published a thirty day notice of removal in The Post and Courier, a newspaper of general circulation in Charleston County, a copy of said notice of removal is attached to Exhibit 1, and no relatives of the deceased are known.

WHEREAS, archeologists, historians, and other experts have studied and documented the Remains.

WHEREAS, City Council finds it to be in the public interest that the most appropriate location to reinter the Remains is a location on the Property that is adjacent to the Gaillard Center on George Street ("New Location"), such New Location being in close proximity to the Original Location of the Remains, and that the Remains be permanently reinterred at the New Location in accordance with the South Carolina Code of Laws, Section 27-43-10, et seq., as amended. A map of the Original Location and the New Location is marked as Exhibit 2, which is attached hereto and incorporated by reference herein.
WHEREAS, City Council finds that an appropriate reinterment service for the Remains should be held and that such service shall occur on May 4, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHARLESTON, IN COUNCIL ASSEMBLED, THAT THE REMAINS HAVE BEEN STUDIED AND DOCUMENTED, AND IT IS IN THE PUBLIC INTEREST THAT THE MOST APPROPRIATE LOCATION TO REINTER THE REMAINS IS A LOCATION ON THE PROPERTY THAT IS ADJACENT TO THE GAILLARD CENTER ON GEORGE STREET ("NEW LOCATION"), SUCH NEW LOCATION BEING IN CLOSE PROXIMITY TO WHERE THE REMAINS WERE DISCOVERED "(ORIGINAL LOCATION") AND THAT THE REMAINS BE PERMANENTLY REINTERRED AT THE NEW LOCATION IN ACCORDANCE WITH THE SOUTH CAROLINA CODE OF LAWS, SECTION 27-43-10, ETSEQ., AS AMENDED; and it is

FURTHER RESOLVED THAT THE REINTERMENT SERVICE FOR THE REMAINS SHALL BE HELD ON MAY 4, 2019.

This Resolution shall become effective immediately upon its adoption by City Council.

Done this _____ day of_____, 2019.

_____________________________________________________
John J. Tecklenburg, Mayor
City of Charleston

_____________________________________________________
Vanessa Turner Maybank
Clerk of Council
City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor

DATE: March 26, 2019

RE: Resiliency & Sustainability Advisory Committee

The committee shall act as an advisory board to city council on all matters related to resiliency and sustainability, and shall consider and discuss resiliency and sustainability proposals which may be considered by city council.

The commission shall be appointed by the mayor with the approval of council. The committee shall be comprised of thirteen (13) voting members consisting of three (3) members of city council, the mayor, one representative of the metro chamber of commerce, one representative of South Carolina Electric & Gas Company, one representative of the South Carolina State Ports Authority, one person selected to represent the collective group of the home builders’ association, the Trident Board of Realtors and the real estate development community, one representative of the Berkeley-Charleston-Dorchester Council of Governments, one technical expert on resilience, one technical expert on sustainability, one representative of a higher education institution committed to advancing resiliency and/or sustainability, and one community member who shall be a resident in the City of Charleston and be representative of community interests conducive to promoting and enabling resiliency and sustainability in Charleston. The mayor shall be a permanent member of the committee. Members of city council on the committee shall serve for a term of two (2) years. The community member shall serve for a term of two (2) years and all other members shall serve for terms of three (3) years, or until their successors have been appointed and qualified.
I am recommending Mark Messersmith as the representative from the SC State Port Authority. Mr. Messersmith holds a bachelor’s degree in Biology and Oceanography from Old Dominion University and a Master’s degree in Environmental Studies from the College of Charleston. He has been working as the Environmental Permitting Manager for the State Port Authority for 2 years. Before that he worked for the Army Corp of Engineers for 9 years.

I would like to thank Barbra Melvin for her time and dedication to serving on the board for as long as she did.

I am recommending the following individuals for the Resiliency & Sustainability Advisory Committee be reappointed:

- William Dudley Gregorie – reappointment - Councilmember – term expires 02/28/2021
- Carol Jackson – reappointment - Councilmember – term expires 02/28/2021
- Kevin Shealy – reappointment - Councilmember – term expires 02/28/2021
- Mark Messersmith – new appointment – SC Port Authority – term expires 02/28/2022
- Andy Barber – reappointment – Home Builders Assoc.-- term expires 02/28/2022
- Danny Kassis – reappointment – SCE&G -- term expires 02/28/2022
- Ian Scott – reappointment – Metro Chamber of Commerce -- term expires 02/28/2022
- Ron Mitchum – reappointment – BCDCOG – term expires 02/28/2022
- Rick DeVoe – reappointment – Technical expert resilience – term expires 02/28/2022
- Christine von Kulnitz – reappointment – Technical expert sustainability – term expires 02/28/2022
- Kendra Stewart – reappointment – Higher education institution – term expires 02/28/2022
- Stewart Weinberg – reappointment - Community member -- term expires 02/28/2021
## Resiliency & Sustainability Advisory Committee

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<th>Name (Primary Member)</th>
<th>Organization Representing</th>
<th>Appointed</th>
<th>Attendance 9/27/18</th>
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**Attendance Rate**

|                        | 85% | 85% | 100% | 85% |
City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: March 26, 2019
RE: Commission on Disability Issues Appointments

The Commission on Disability Issues shall comprise fifteen (15) members. The commission membership shall be primarily persons with disabilities and inclusive of different disability groups, including physical, sensory, and mental disability and shall be representative of gender, age, and racial groups in the community. The mayor and/or his designee shall serve as an ex officio member of the commission.

I recommending Rick Magner for appointment. Mr. Magner is the former Director of the Disabilities Board of Charleston, former Director of the Dorchester Disabilities Board, and former District Director of the SC Dept. of Disabilities and Special Needs and has served on various other committees relating to individuals with disabilities. I am recommending all other members be reappointed as they have served the commission faithfully and with dedication.

I would like to thank Veneka Jasper for her outstanding service and commitment to the City of Charleston while on the Commission on Disability issues.

The following are my recommendations for the Commission on Disability Issues:
- Rick Magner – new appointment – term expires 2/28/2022
- Annette Nielsen – reappointment – term expires 2/28/2022
- Clay Seim – reappointment – term expires 2/28/2022
- Maria Saxon – reappointment – term expires 2/28/2022
- Leah Farrell – reappointment - term expires 2/28/2022
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A = In Attendance  E = Extended Absence
TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: March 26, 2019
RE: Accommodations Tax Advisory Committee Appointments

The Accommodations Tax Advisory Committee consists of seven (7) members with a majority (4) being selected from the hospitality industry of the municipality receiving the revenue. At least two of the hospitality industry members must be from the lodging industry. One member shall represent the cultural organizations of the municipality receiving the revenue. The remaining two (2) members consist of one at-large representative and one City Councilmember. The City Councilmember serves as Chairperson of the Committee.

I am recommending all members be reappointed as they have served the commission faithfully and with dedication.

The following are my recommendations for the Accommodations Tax Advisory Committee:

- William Dudley Gregorie – reappointment – (City Councilmember) – term expires 2/29/2020
- Patricia Agnew – reappointment – (At-Large) – term expires 2/29/2020
- Edward Famell – reappointment – (Lodging) – term expires 2/29/2020
- Charlton Singleton – reappointment – (Cultural) – term expires 2/29/2020
- Ben D’Allesandro – reappointment – (Food & Beverage) – term expires 2/29/2020
- Sunju Patel – reappointment – (Lodging) – term expires 2/29/2020
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City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor

DATE: March 26, 2019

RE: Appointment to the Board of Architectural Review—Large

The Board of Architectural Review—Large shall consist of five (5) members and two (2) alternates 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, or non-citizen’s owners or principals of businesses located in the City. The board shall include two (2) registered architects, an attorney, a licensed professional involved in construction or engineering and a Layperson. The members and alternates shall have a demonstrated interest in historic design or preservation and at least one of the following fields: fine arts, architecture, structural engineering, landscape architecture, civil engineering, urban design, city planning, preservation, construction, real estate development, law or associated disciplines.

I am recommending Lyudmila Sobchuck, AIA for the architect position. She is a highly-skilled, detail-oriented architect as well as a fine artist. A partner of SGA | Narmour Wright Design, she also serves as the firm’s Design Principal. Luda’s depth of experience spans numerous market sectors: residential, commercial, multi-use, multi-family, municipal, and master planning. She has completed many projects in Downtown Charleston, including Majestic Square, the Franke Building (renovation and residential addition), McCrady’s Tavern, the Madren Building, and the Morris Square urban infill.

I am also recommending James Meadors for the engineer position. James is a native South Carolinian, and has lived and worked in Charleston, SC for over thirty-five years. He has dedicated his life to his community and historic preservation. James founded Meadors, Inc. in 1984 to focus on the conservation and restoration of historic structures by not only preserving and restoring them, but also by conserving the historic building methods from which we continue to learn.
I recommend we reappoint Jay White and Ed Fava as they have served the board faithfully and with dedication throughout their years of service. Ms. Alexander and Mr. Faust have selflessly served the Board for several years providing valuable and insightful feedback and guidance to applicants developing large scale projects in the City.

I would like to thank Janet Alexander and Bob Faust for their many years of outstanding service to the City of Charleston while on the BAR.

The following are my recommendation’s for the Board of Architectural Review—Large:

- Lyudmila Sobchuck – **new appointment** – (Architect) – term ends 12/31/2021
- James Meadors – **new appointment** – (Engineer) – term ends 12/31/2021
- Jay White – **reappointment** – (Architect) – term ends 12/31/2021
- Ed Fava – **reappointment** – (Alternate) – term ends 12/31/2021
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MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: March 24, 2019
RE: Commission on Women Appointments

The commission for women shall be comprised of fifteen (15) members. Individuals from the following groups shall be appointed to the commission; any one member of the commission may be representative of more than one group: (1) Homemakers; (2) Indigent women; (3) Civic workers; (4) Non-professional working women; (5) Women with legal expertise; (6) Young women; (7) Social service workers; (8) Senior citizens; (9) Educators. The commission shall also include a member of city council, appointed by the mayor with the approval of city council.

I am recommending the appointment of Carolyn Wright Porcher. Ms. Porcher worked for the New York City Department of Education as a School Social Worker for 25 years before retiring to Charleston, SC. She is a life member of Delta Sigma Theta Sorority, Inc. the NAACP, and the League of Women Voters.

I would like to thank Antoinette Barnes for her service and commitment to the City of Charleston while serving on the Commission on Women.

The following are my recommendations for the Commission on Women:

- Carolyn Wright Porcher – new appointment – term expires 2/28/2022
- Nick Mercer – reappointment – term expires 2/28/2022
- Denise M. Fugo – reappointment – term expires 2/28/2022
- Janet Segal – reappointment – term expires 2/28/2022
- Andrea Schenck – reappointment – term expires 2/28/2022
- Carol Jackson – reappointment – term expires 2/28/2022
AN ORDINANCE

TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 28, SECTION 45 TO INCLUDE STREETS CROSSING KING STREET FOR ONE BLOCK IN EITHER DIRECTION OF KING STREET BETWEEN AND INCLUDING LINE AND BROAD STREETS AND STREETS CROSSING NORTH AND SOUTH MARKET STREETS FOR ONE BLOCK IN EITHER DIRECTION OF NORTH AND SOUTH MARKET STREETS BETWEEN KING STREET AND EAST BAY STREETS.

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

Section 1. Chapter 28 of the Code of the City of Charleston is hereby amended by adding thereto a new Section 45 which shall read as follows:

Sec. 28-45. PROMOTION OF CIVIL SIDEWALKS

(a) Findings. The King and Market Street corridors in the downtown area of the City are places of gathering and commerce, where patrons, residents and visitors conduct business, shop, sightsee and recreate. Being in the heart of the peninsula, these corridors offer an array of services to support residents living nearby and those coming into the peninsula to enjoy the urban core of the City, to include shopping, dining and art venues. Being in the heart of the tourism district, these corridors are heavily impacted not by just visitors, but also by vendors and service providers tending to the needs of the industry businesses. Being adjacent to the College of Charleston campus, these corridors are also impacted by students tending to daily needs or seeking places to recreate. The sidewalks of these corridors, part of an urban street grid established in the eighteenth century, are narrow by modern standards and are incapable of being enlarged in any meaningful way. It is imperative that pedestrian flow along the sidewalks of these corridors be safe, effective and efficient during times of heavy use. The primary purpose of a sidewalk is to provide a means of conveyance by foot. Interferences with that purpose should be minimized to the extent feasible. Sitting or lying on the sidewalks of the King and Market Street corridors during times of heavy use poses a threat to safe pedestrian passage, especially for the elderly, disabled, vision-impaired and small children. As there exist[s] alternate public places in the vicinity of the King and Market Street corridors that accommodate sitting or lying down, Council finds it necessary and in furtherance of the public peace and good order that sitting or lying on the sidewalks of the King and Market Street corridors be regulated in a manner that promotes safety but which preserves these areas for traditional constitutional expression and other lawful activity on sidewalks consistent with any City permitting requirements.
(b) **Prohibition.** During the hours between eight (8:00) a.m. and two (2:00) a.m., it is unlawful to sit or lie down upon a public sidewalk:
1) on King Street, between Line Street and Broad Street;
2) on streets crossing King Street for one block in either direction of King Street between and including Line Street and Broad Street;
3) on North and South Market Streets, between King Street and East Bay Street, and
4) on streets crossing North and South Market Streets for one block in either direction from North and South Market Streets between and including King and East Bay Street.

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

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

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

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

(f) **Penalties.**

1. **First Offense.** Upon conviction for a first offense of this Section, the court shall impose a fine of not more than $25.
2. **Subsequent Offenses.** Upon conviction for a second offense of this Section, the court shall impose a fine of not more than $50. All further violations of this Section may be handled in a manner consistent with the City's general penalty provision as provided in Section 1-16 of this Code.

(g) **Reporting.** One year after the effective date of this ordinance, and every two years thereafter, the Police Department shall make a written report to the Mayor and the City
Council Members that evaluates the effectiveness of enforcement of this ordinance in the King and Market Street Corridors as set out herein.

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

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

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this_____ day of _______ in the Year of Our Lord, 2019, 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
AN ORDINANCE

TO AMEND PART 15 ( MIXED USE 1 - WORKFORCE HOUSING DISTRICT MIXED USE 2 - WORKFORCE HOUSING DISTRICT) OF ARTICLE 2 ( LAND USE REGULATIONS) OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA ( ZONING ORDINANCE), TO IMPLEMENT THE FEDERAL OPPORTUNITY ZONE PROGRAM, BY CREATING CERTAIN INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF "OPPORTUNITY UNITS" FOR HOUSEHOLDS WITH INCOMES LESS THAN OR EQUAL TO 60% OF THE AREA MEDIAN INCOME (AMI).

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

Section 1. Part 4 of Article 3 of Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance) is hereby amended to read as follows:

PART 15 – WORKFORCE HOUSING DISTRICTS AND OPPORTUNITY ZONES

Sec. 54-297. - Findings.

a. City Council finds that its urban areas have traditionally included mixed use developments that incorporate housing opportunities for persons of varying means and incomes, along with complementary nonresidential uses. City Council finds that these mixed use developments have contributed significantly to the economic success and unique fabric of its urban environment by enhancing diversity and providing job opportunities, and that it is in the public interest that incentive-driven districts be established to encourage the continued development of mixed use projects.

b. City Council finds that opportunity zones, which were added to the federal tax code by the Tax Cuts and Jobs Act (the "Act") on December 22, 2018, provide for preferential tax treatment for new investments in economically-distressed areas, including areas within the City designated as qualified opportunity zones under the procedures set forth in the Act.
Sec. 54-298. - Purpose.

a. The MU-1/WH and MU-2/WH base zoning districts are intended to promote a mixture of housing opportunities within a single development, along with appropriate nonresidential uses, by providing incentives for the creation of such developments in urban areas of the City where on street parking or other public parking is customary and can be reasonably accommodated.

b. The creation of qualified developments in areas of the City designated as qualified opportunity zones is intended to take advantage of the Act and the economic development tools provided therein to spur economic development and job creation in distressed communities, while ensure appropriate housing is provided in these areas.

Sec. 54-299. – Availability.

a. Except as set forth in Sec. 54-299.b, the MU-1/WH and MU-2/WH districts, being incentive based, are only available to owners who apply for the district designation.

b. Subject to the terms, conditions, and restrictions set forth in this Part, notwithstanding Sec. 54-299.a, any owner may apply for the incentives applicable to the MU-1/WH or MU-2/WH districts, as modified by Sec. 54-299.8 through Sec. 54-299.10, without applying for the district designation, by demonstrating to the Zoning Administrator that the proposed development on the owner’s property meets all of the following criteria: (1) the development is funded wholly or in part by a qualified opportunity zone fund; (2) the development lies wholly or in part within a designated qualified opportunity zone; and (3) the development will occur on property lying entirely in at least one of the following base zoning districts: LB, GB, CT, GO, LI, or HI.

Sec. 54-299.1. – Definitions.

Terms in this Part shall be defined as follows:

a. **Owner occupied workforce housing unit**: A dwelling unit where at least one occupant is an owner, and where all occupants have, in the aggregate, household income less than or equal to one hundred twenty (120%) percent of the area median income (AMI) for owner occupied units.

b. **Rental workforce housing unit**: A dwelling unit, where occupants have, in the aggregate, household income less than or equal to eighty (80%) percent of the area median income (AMI) for rental units.

c. **Qualified household**: Households where occupants have, in the aggregate, (1) a household income less than or equal to one hundred twenty (120%) percent of the area median income (AMI) for owner occupied workforce housing units; (2) a
household income less than or equal to eighty (80%) percent of the area median income (AMI) for rental workforce housing units; or (3) a household income less than or equal to sixty (60%) percent of the area median income (AMI) for opportunity units.

d. **Initial maximum allowable sales price:**

i. Except as provided in Sec. 54-299.1.d.ii, the initial maximum allowable sales price is an amount equal to three (3) times one hundred twenty (120%) percent of AMI, plus any subsidy available to the purchaser.

ii. With respect to opportunity units, the initial maximum allowable sales price shall be an amount equal to three (3) times sixty percent (60%) of AMI, plus any subsidy available to the purchaser.

e. **Affordable rent:** An amount equal to thirty (30%) percent of eighty (80%) percent of the annual AMI. Affordable rent for efficiency/studio units is the High HOME rents as published annually by the United States Department of Housing and Urban Development, or its successor, for the Charleston-North Charleston Metropolitan Statistical Area, as may be adjusted by the City of Charleston Department of Housing and Community Development, or their successors. In the absence of such information, the total annual rent charged by the owner shall not exceed thirty (30%) percent of the annual household income.

f. **Household income:** All sources of financial support, both cash and in kind, of adult occupants of the housing unit, to include wages, salaries, tips, commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or trusts, Social Security benefits, railroad retirement benefits, Supplemental Security income, Aid to Families with Dependent Children or other public assistance welfare programs, other sources of income regularly received, including Veterans’ (VA) payments, unemployment compensation and alimony, and awards, prizes, government or institutional or eleemosynary loans, grants or subsidies and contributions made by the household members’ families for medical, personal or educational needs.

g. **Area Median Income (AMI).** Area median income (AMI) shall be as determined annually by the United States Department of Housing and Urban Development, as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.

h. **Designated qualified opportunity zone:** A designated qualified opportunity zone is a qualified opportunity zone, as defined in subsection (a) of Section 1400Z-1 of Title 26 of the United States Code, that has received a designation pursuant to that section.
i. **Qualified opportunity zone fund:** The term "qualified opportunity zone fund" is defined in subsection (d) of Section 1400Z-2 of Title 26 of the United States Code.

j. **Opportunity unit:** A dwelling unit where occupants have, in the aggregate, household income less than or equal to sixty (60%) percent of the area median income (AMI).

k. **Qualified development:** A development satisfying the criteria in Sec. 54-299.b, as determined by the Zoning Administrator; except that, for the purpose of Sec. 54-299.10 only, a "qualified development" shall mean a development satisfying only criteria (1) and (2) in Sec. 54-299.b, as determined by the Zoning Administrator.

l. **Opportunity rent:** An amount equal to thirty (30%) percent of sixty (60%) percent of annual AMI. In the absence of such information, the total annual rents charged by an owner shall not exceed thirty percent (30%) of the annual household income.

Sec. 54-299.2. – Land uses for MU-1/WH and MU-2/WH districts.

[The provisions of the current Sec. 54-299.2 are incorporated fully herein by reference]

Sec. 54-299.3. – Parking and loading for MU-1/WH and MU-2/WH districts.

[The provisions of the current Sec. 54-299.3 are incorporated fully herein by reference]

Sec. 54-299.4. – Height, area and setback regulations.

a. The height, area and setback regulations for the MU-1/WH and MU-2/WH districts are listed under Part 1 (Height, Area and Setback Regulations) of Article 3 (Site Regulations) of this Chapter in Table 3.1 (Height, Area and Setback Regulations).

b. The height, area and setback regulations for the MU-1/WH and MU-2/WH districts, as set forth in Table 3.1, shall also apply within qualified developments.

Sec. 54-299.5. - Affordable/workforce housing account.

There is hereby created a City of Charleston Affordable/Workforce Housing Account. Fees contributed to the account per Sec. 54-299.2(c) and per Sec. 54-299.8.g, along with all interest earnings, shall be used solely for the purpose of creating and/or improving opportunity units and/or workforce and/or affordable housing, including but not limited to improving or redeveloping existing housing stock, the acquisition of land, costs and fees for design and construction of such units or housing, and loans or grants to providers of such units or housing. The terms of any assistance shall be developed by the City of Charleston Department of Housing and Community Development, or its successor, and approved by City Council.

Sec. 54-299.6. - Existing MU-1/WH and MU-2/WH classifications.
[The provisions of the current Sec. 54-299.6 are incorporated fully herein by reference]

Sec. 54-299.7. – Lot frontage requirements.

a. New lots created in the MU-1/WH and MU-2/WH zone districts shall not be required to have frontage on a street, as set forth in Sec. 54-824.

b. New lots created within a qualified development shall not be required to have frontage on a street, unless such frontage would be required on a new lot created in the MU-1/WH and MU-2/WH zone districts.

Sec. 54-299.8. – Opportunity Units.

With respect to a qualified development, the following standards shall apply to opportunity units in lieu of the standards in Sec. 54-299.2:

a. Every qualified development that has five (5) or more dwelling units must include opportunity units. Every qualified development that has less than five (5) dwelling units must include (i) at least one (1) opportunity unit; or (ii) a ground level food store or produce market facing the street, in accordance with Sec. 54-299.8.f.

b. The number of opportunity units required for a qualified development shall be twenty percent (20%) of the number of dwelling units within the qualified development, rounded up to the next whole number. Notwithstanding the foregoing, the number of opportunity units for a qualified development shall be at least one (1). This required ratio shall apply to all dwelling units within the qualified development, up to the maximum number of dwelling units which would be permissible under the base zoning districts applicable to the property within the qualified development.

c. For qualified developments exceeding the total number of dwelling units that would be permissible under the base zoning districts applicable to the property within the qualified development, the number of opportunity units required within the qualified development shall be fifty percent (50%) of the number of dwelling units which exceeds the maximum number of dwelling units which would be permissible under the base zoning districts applicable to such property, rounded down to the nearest whole number; provided, however, the number of required opportunity units under this Sec. 54-299.8.c shall not be less than one (1).

d. Opportunity units shall be sized, in terms of square footage and number of bedrooms, in a manner comparable and proportional to the size, in terms of square footage and number of bedrooms, of market rate units in the qualified development as a whole. The smallest opportunity unit shall have at least the same square footage as the smallest market rate unit with the same number of bedrooms in the qualified development.
e. Opportunity units shall be integrated and intermixed with market rate units in the qualified development, such that opportunity units are not clustered together or separated from market rate units within the qualified development. Without limiting the foregoing, qualified developments that include more than one building with multi-family dwelling units shall incorporate opportunity units into each such building. The exterior finishes of opportunity units shall be of comparable type and quality as market rate units within the qualified development.

f. Qualified developments that use food stores or produce markets in lieu of opportunity units must dedicate to such uses the greater of (1) fifty percent (50%) of the square footage of the ground level for buildings within the qualified development; or (2) 1,500 square feet.

g. **Fee in Lieu.** In lieu of providing opportunity units within the qualified development, the owner of the qualified development may choose to contribute a fee to the City’s Affordable/Workforce Housing Account, as set forth in Sec. 54-299.5, in accordance with the following provisions:

i. The owner may contribute a fee for any or all of the number of opportunity units required for the qualified development.

ii. The fee per unit shall equal the cost of constructing two (2) opportunity units which would otherwise be required under this Part for households with the same AMI for each opportunity unit not constructed within the qualified development. A schedule of the costs for constructing such opportunity units shall be determined by the City of Charleston Department of Housing and Community Development, or its successor, and published annually in advance on the City’s website.

iii. Square footage used solely as a food store or produce market may be excluded from gross square footage for purposes of calculating the fee; provided, however, if at any time during the period of twenty-five (25) years after the issuance of a certificate of occupancy for the last building or unit within the qualified development, the use of the square footage as a food store or produce market lapses for a period of twelve (12) or more consecutive months, or is utilized for any other purpose, then the owner of the qualified development shall be required, as a condition of occupancy of such space, to pay a sum equal to the difference between the fee per unit that would have been payable had the space not been excluded from the per unit calculation and the fee per unit initially.

iv. Fees shall be calculated at the time of a building permit application based on the schedule provided in Sec. 54-299.8.g.ii, and paid in full prior to the issuance of a certificate of occupancy for any part of the qualified development.
h. **Land donation in lieu of units.** Upon approval of City Council, and in its sole discretion, land may be donated to the City for opportunity units to satisfy some or all of the requirements for opportunity units for the qualified development. The size, configuration and location of any land proposed for donation shall be capable and appropriately zoned to support, at a minimum, the number of opportunity units it is intended to replace, and is subject to the sole approval of City Council, which may be withheld for any or no reason. Should the City elect to accept a land donation in lieu of construction of opportunity units, the owner shall be wholly responsible for the costs of acquisition of the land and transfer to the City, including but not limited to costs of surveys, plats, environmental investigation, title insurance, City attorneys’ fees and recording costs. Title to the land proposed for donation shall be transferred to the City by general warranty deed prior to the issuance of a building permit for any part of the qualified development.

i. Prior to receiving a building permit for any portion of a qualified development, the owner thereof shall provide, in writing, to the satisfaction of the City of Charleston Department of Housing and Community Development, or its successor, information identifying the total number of bedrooms and square footage for each dwelling unit and for each opportunity unit, as well as the location of the opportunity units within the qualified development. Prior to the issuance of a certificate of occupancy for any portion of a qualified development, the owner thereof shall identify, in writing, to the City of Charleston Department of Housing and Community Development, or its successor, the units designated as opportunity units.

j. **Covenants.**

i. Prior to the issuance of a certificate of occupancy for any portion of a qualified development, the owner shall execute covenants approved, in writing, by (1) the City’s Director of Housing and Community Development; and (2) the City’s Corporation Counsel, that identifies the opportunity units and that restricts such units to occupancy, and, if applicable, ownership, by qualified households for a period of no less than twenty-five (25) years. Prior to the issuance of a certificate of occupancy, for any portion of a qualified development, and once approved by the City, the covenants shall be recorded by the owner and a recorded copy submitted to the City’s Director of Housing and Community Development.

ii. For owner-occupied opportunity units, the covenants shall identify the initial maximum allowable sales price and provide that the initial maximum allowance sales price will be adjusted annually for inflation based on the increase in the area median income (AMI) or Consumer Price Index, whichever is greater. Each owner of such units, prior to initial occupancy, shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, a verified income report of
household income of all members of the household. The covenants shall require notice to the City of Charleston Department of Housing and Community Development, or its successor, of any transfer of the owner occupied opportunity units and verification that the purchaser is a qualified household. Opportunity units shall be subject to resale restrictions for no fewer than twenty-five (25) years from date of initial sale of the unit. The covenants will be recorded as deed restrictions.

iii. For opportunity units which will be rented, the covenants shall require the owner to provide proof to the City of Charleston Department of Housing and Community Development, or its successor, at inception of every tenancy, and on an annual basis thereafter, that no more than opportunity rent is being charged for the unit(s), and verified income reports of household income of all occupants of such opportunity units. Such opportunity unit shall be subject to these covenants for no fewer than twenty-five (25) years from the date of initial occupancy of each opportunity unit.

iv. The covenants for opportunity units to be rented shall also provide:

(a) If an opportunity unit is converted from a rental unit to an owner-occupied unit during the term of the covenants, the opportunity unit shall be subject to the owner occupied opportunity unit requirements as set out in subsection j (ii) (to include the initial maximum sales price) for a term of months equal to the number resulting when subtracting from 300 months the number of months the unit has been subject to covenants for rental opportunity units.

(b) Conversion of an opportunity unit from owner-occupied to a rented opportunity unit shall not be permitted.

(c) Written notice shall be provided to the City’s Department of Housing and Urban Development prior to any conversion taking place.

v. The covenants shall accord the City, or its assignee, rights to enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy.

k. If a qualified development is to be phased, each phase shall include opportunity units concurrently with the market rate units in the particular phase. A phasing plan that brings the opportunity units on line at the end of build out is not permitted.

l. The upkeep of rented opportunity units shall be of the same quality as the upkeep of the other market rate rental units within the qualified development.
Sec. 54-299.9. – Parking in Qualified Developments.

The following off-street parking requirements shall apply to qualified developments in lieu of those set forth in Sec. 54-299.3, and these off-street requirements shall modify or replace any conflicting standards set forth in Part 4 (Off-Street Parking Requirements) of Article 3 (Site Regulations) of this Chapter:

a. Off-street parking requirements for opportunity units shall be one (1) space per two (2) opportunity units.

b. Off-street parking requirements for market-rate dwelling units within a qualified development shall be one (1) space per dwelling unit.

c. Uses permitted as part of new construction or renovations located on the second finished floor of any building within a qualified development shall be exempt from the minimum number for required off-street parking spaces set forth in Table 3.3 (Off-Street Parking Requirements) in this Chapter, except that this exemption shall not apply to restaurants, bars, residential uses, and accommodations uses.

d. Uses permitted as part of new construction or renovation within a qualified development shall be partially exempt from the requirements in Table 3.3 (Off-Street Parking Requirements) in this Chapter, under the following circumstances:

i. The use is categorized as “Institutional and Community Service,” “Business, Entertainment, and Office,” “Industrial,” or “Recreational” in Table 3.3 (collectively, “Exempt Uses”); provided, however, restaurants and bars shall not be considered Exempt Uses.

ii. For Exempt Uses requiring four (4) or more off-street parking spaces under Table 3.3, only fifty percent (50%) of the square footage of the use shall be exempt from the minimum off-street parking spaces required in Table 3.3.

iii. For Exempt Uses requiring three (3) or fewer off-street parking spaces under Table 3.3, no off-street parking shall be required.

iv. No permit shall be granted exempting more than fifteen (15) off-street parking spaces within the qualified development under this subsection.

Sec. 54-299.10. – Permitted Uses for Qualified Properties.

a. Qualified Property. For the purpose of this Sec. 54-299.10 only, a “qualified property” shall mean a property within a qualified development satisfying the following criteria, as established by the owner and determined by the Zoning Administrator: (1) the property lies entirely within one or more qualified zoning districts; (2) the property fronts on two or more public rights-of-way; and (3) the property contains or is eligible for no more than two dwelling units.
b. **Qualified Zoning District.** For the purpose of this Sec. 54-299.10 only, a "qualified zoning district" means any of the following base zoning districts: SR-1, SR-2, SR-3, SR-4, SR-5, SR-6, SR-7, SR-8, DR-1, DR-1F, DR-2, DR-2F, DR-3, DR-4, DR-6, DR-9, or DR-12.

c. **Permitted Uses.** Within a qualified development, a qualified property may be renovated in the interior only to permit any of the uses listed as a permitted, conditional, or special exception use within the RO or GO zone districts in Table 3.1 (Table of Permitted Uses), subject to the special exceptions and conditions applicable to such uses as referenced in Table 3.1; provided, however, the property shall continue to contain at least one (1) dwelling unit thereon.

**Section 2.** This Ordinance shall become effective upon ratification.

Ratified in City Council this ___ day of _____ in the year of Our Lord, 2019, 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
AN ORDINANCE

TO AMEND DIVISION 2 (TOURISM COMMISSION) OF ARTICLE II (ADMINISTRATION AND ENFORCEMENT) OF CHAPTER 29 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA (TOURISM ORDINANCE), BY STRIKING REFERENCES IN SEC. 29-33 TO THE MAYOR'S OFFICE OF TOURISM AND INSERTING INSTEAD REFERENCES TO THE DEPARTMENT OF LIVABILITY AND TOURISM, AND BY ADDING LANGUAGE TO SEC. 29-33 EMPHASIZING THE APPLICATION OF ROBERT'S RULES OF ORDER TO THE CONDUCT OF BUSINESS BEFORE THE COMMISSION.

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

Section 1. Sec. 29-33 of the Code of the City of Charleston, South Carolina, is hereby amended to read as follows (deletions in strikethrough; additions in double underline):

Sec. 29-33. - Duties and responsibilities.

The commission shall:

(1) Oversee the broad range of tourism-related matters that affect the economic and general welfare of the citizens of the city in order to ensure that visitors can enjoy the historic and cultural aspects of the city's heritage consistent with the maintenance of the environmental quality of life of its citizens;

(2) Make such policy recommendations to the mayor and city council as will further the goals of tourism management, particularly in the areas of parking and routing of tourism-related traffic activities, the qualification and licensing of tour guides, the determination of vehicle appropriateness and the enforcement of tourism management regulations;

(3) Hear appeals from the decisions of the department of livability and tourism director of the mayor's office of tourism;

(4) Apply Robert's Rules of Order to the conduct of its meetings, except as otherwise provided by these rules of procedure. Adopt rules for the conduct of its meetings;
(5) Issue such regulations as the city council may, by ordinance, authorize;

(6) Review the annual report of the director of the department of livability and tourism and recommend revisions to procedures as required; and

(7) Monitor the enforcement and decisions of the director of the department of livability and tourism to ensure consistency with long-term tourism planning goals; and

(8) Have such other duties and responsibilities as the city council may from time to time direct.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ___ day of ___ in the year of Our Lord, 2019, 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
AN ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 29, ARTICLE V, SEC. 29-206 (a), 29-208 (c) (5) and (c) (6), Sec. 29-209, and SEC. 29-212 (b) and (c) (1) OF THE CODE OF THE CITY OF CHARLESTON PERTAINING TO THE GATEKEEPER LOADING AND MEDALLION ISSUANCE PROCEDURE, RECORDING OF TOUR INFORMATION, SANITATION COMMUNICATION, AND MANAGEMENT REQUIREMENTS.

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

Section 1. Chapter 29, Article V, Sec. 29-206 (a) of the Code of the City of Charleston is hereby amended so that hereafter said Sections shall read as follows (amendatory language in bold and double underlined and a strikethrough for a deletion):

(a) The city shall establish a central location at the corner of North Market and Church Streets for the distribution of medallions to be issued in the conduct of tours in the zones of operation as established pursuant to section 29-208 of the Code of the City of Charleston. The central location point shall be designated as the "gate" which will consist of a structure to be occupied by a city employee authorized to issue medallions for touring as provided herein, said employee to be more commonly referred to as the "gatekeeper." The gate loading procedure shall require an animal-drawn vehicle to load and discharge passengers as herein provided and to pass through the gate to receive a medallion and a GPS unit. This medallion shall indicate the zone in which the animal-drawn vehicle shall conduct its tour. The zone designation shall be obtained by random selection by the gatekeeper as hereinafter provided. The medallion shall be issued by the gatekeeper and affixed to the back of the animal-drawn vehicle. The GPS unit shall be used by the driver of the animal drawn vehicle to mark animal excreta on the public right of way. Upon completion of the tour, the medallion, and the GPS unit shall be returned to the gatekeeper by the driver or company representative of the animal-drawn vehicle having been issued the medallion. A medallion, and GPS unit shall be returned to the gatekeeper no later than seventy-five (75) minutes after its issuance. Loss or damage of a GPS unit shall result in the company assigned the unit being charged the cost of replacement of the unit.

Section 2. Chapters 29, Article V, Sec. 29-208 (c) (5) of the Code of the City of Charleston is hereby amended so that hereafter said Sections shall read as follows (amendatory language in bold and double underlined and a strikethrough for a deletion):
(5) When a medallion is issued, the gatekeeper shall record the company's name, the animal-drawn vehicle driver's name, medallion number, GPS unit number, and the time that it is issued. No animal-drawn vehicle shall be issued more than one (1) medallion within forty-five (45) minutes from the time of issuance of the first medallion. When the medallion is returned, the check-in time shall be recorded by the gatekeeper. The gatekeeper shall verify that the maximum check-out time has not been exceeded.

(6) A medallion and GPS unit shall be returned to the gatekeeper no later than seventy-five (75) minutes from the time of its issuance.

Section 3. Chapters 29, Article V, Sec. 29-209 of the Code of the City of Charleston is hereby amended so that hereafter said Sections shall read as follows (amendatory language in bold and double underlined and a strikethrough for a deletion):

It shall be unlawful for any person, firm, corporation or other entity to utilize any animal for the purpose of pulling any vehicle on city streets unless such animal is equipped with diapering apparatus that prevents the droppings of such animal from being deposited or otherwise left on city streets. It shall be the responsibility of the person, firm, corporation or other entity utilizing any animal-drawn vehicle to see that the diapering apparatus is maintained in working order. Further, every animal-drawn vehicle shall be equipped with a two-way communication system, a GPS unit, and flags to identify areas in need of sanitation. It shall be the responsibility of the person, firm, corporation or other entity utilizing any animal-drawn vehicle to drop a sanitation flag, marking areas where animals deposit or otherwise leave excreta on city streets and to use a GPS unit or utilize two-way communications to provide notice of areas in need of equine sanitation.

Section 4. Chapters 29, Article V, Sec. 29-212 of the Code of the City of Charleston is hereby amended by adding the following new definition in alphabetical order and renumbering and alphabetizing the existing definitions:

GPS unit shall mean a device supplied at the gate for the use of marking animal excreta.

Section 5. Chapters 29, Article V, Sec. 29-212 (c) of the Code of the City of Charleston is hereby amended by adding the following after (c) (g):

h. One GPS unit to mark animal excreta.
Section 6. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of 
________________ in the Year of Our Lord, 2019, 
and in the _____ rd Year of the Independence of 
the United States of America

__________________________________________
John Tecklenburg, Mayor

ATTEST: 

__________________________________________
Vanessa Turner Maybank, 
Clerk of Council
AN ORDNANCE

TO AMEND CHAPTER 29 OF THE CODE OF THE CITY OF CHARLESTON BY ADDING REGULATIONS PERTAINING TO THE BLOCKING OF THE PUBLIC RIGHT-OF-WAY BY WALKING TOURS.

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

Section 1. Section 29-261 of Chapter 29 of the Code of the City of Charleston is hereby amended by inserting the following new subsection alphabetical order:

Section 2. (c). Tour groups of any size shall not obstruct or otherwise inhibit the free, safe and efficient flow of vehicular or pedestrian traffic on any public right-of-way or public property including into and out of private property adjacent to any public right-of-way.

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of __________ in the Year of Our Lord, 2019, and in the ____th Year of the Independence of the United States of America.

John Tecklenburg, Mayor

ATTEST: Vanessa Turner Maybank, Clerk of Council