

March 24, 2015
Charleston, SC

A meeting of County Council of Charleston County was held on the 24th day of March, 2015, in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, North Charleston, South Carolina.

Present at the meeting were the following members of Council: J. Elliott Summey, Chairman, who presided; Colleen T. Condon; Teddie E. Pryor, Sr.; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; and Dickie Schweers. Council Member Henry Darby was absent and Council Member Anna B. Johnson arrived late.

Also present were County Administrator Kurt Taylor and County Attorney Joseph Dawson.

The Clerk reported that in compliance with the Freedom of Information Act, notice of meetings and agendas were furnished to all news media and persons requesting notification.

Mr. Qualey moved to approve the minutes of March 10, 2015, seconded by Ms. Condon, and carried.

Ms. Condon moved approval of Recognitions and Resolutions. The motion was seconded by Mr. Sass, and carried.

**Charleston
Animal
Society
Presentation**

Mr. Joe Elmore, Executive Director of the Charleston Animal Society, gave Council a review of the Animal Society's 2014 activities and presented past Chairman Teddie Pryor with a plaque in appreciation of his contributions to Charleston Animal Society.

**Procurement
Month
Resolution**

Chairman Summey requested Contracts and Procurement Director Barrett Tolbert and his staff to come forward to receive a resolution proclaiming March 2015. Mr. Taylor presented the resolution which was read into the record.

The resolution is as follows:

Request to
Adopt

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, the public procurement profession plays a significant role in the efficiency and effectiveness of both government and business; and,

WHEREAS, in addition to the purchase of goods and services, procurement adds value to the organization by performing functions such as executing, implementing and administering contracts, conduct market research and analyses, developing

strategic procurement methodologies, and cultivating working relationships with suppliers and other departments within the organization; and

WHEREAS, the primary objectives of a first-class procurement organization extend beyond the traditional belief that procurement's primary role is to obtain goods and services in response to internal needs; and

WHEREAS, these primary objectives include supporting operational requirements, manage the purchasing and contracting process equitably, efficiently and effectively; and

WHEREAS, the objective of the County of Charleston's Contracts and Procurement Department include supporting operational requirements, managing the procuring and contracting, develop strong relationships with other functional groups and stakeholders and support organizational goals and objectives; and

WHEREAS, using technology, competition, and best practices, we strive to bring the greatest value to the County and its residents in an efficient and cost-effective manner while embracing the Values and Guiding Principles of Public Procurement of Accountability, Ethics, Impartiality, Professionalism, Services and Transparency.

NOW THEREFORE, BE IT RESOLVED, that Charleston County Council does hereby proclaim March 2015 as

PROCUREMENT MONTH

in Charleston County, and encourages all citizens of Charleston County to show their support and expand the awareness of the purchasing professionals' role to governmental officials, the general public, business and corporate leaders.

CHARLESTON COUNTY COUNCIL

J. Elliott Summey, Chairman
March 24, 2015

An ordinance amending the Zoning and Land Development Regulations to include the Ashley River Road Corridor Overlay District was given third reading by title only.

**ZLDR
Amendments/
Ashley River
Road Overlay
District**

Ordinance 3rd
Reading

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS
AMENDED: CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING
DISTRICTS.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in South Carolina law and the ZLDR and has recommended that the Charleston County Council (County Council) adopt the proposed amendments of the text of the ZLDR as set forth herein; and WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approved the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, County Council has determined the proposed text amendments meet the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition;
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by Charleston County Council, in meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments attached hereto as Exhibit "A" and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect. SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 24th day of March, 2015.

CHARLESTON COUNTY COUNCIL

ATTEST:

By:
Beverly T. Craven
Clerk to Charleston County Council

First Reading: February 26, 2015
Second Reading: March 10, 2015
Third Reading: March 24, 2015

By:
J Elliott Summey
Chairman of Charleston County Council

EXHIBIT "A"

AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED:
CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS.

ARTICLE 5.12 ASHLEY RIVER ROAD CORRIDOR, ARRC-O, OVERLAY ZONING DISTRICT

§5.12.1 STATEMENT OF FINDINGS

The Ashley River Road Corridor Overlay Zoning District (ARRC-O) includes unincorporated parcels of Charleston County that front on Highway 61 from its intersection with Ashley Hall Road to Church Creek as shown on the map titled "Ashley River Road Overlay Zoning District". Highway 61 is a major thoroughfare in West Ashley and carries a large number of vehicles each day through rural areas, commercial areas and established neighborhoods. Moreover, some of the properties along Highway 61 are located within the jurisdictional limits of the City of Charleston and others are located in unincorporated Charleston County. The ARRC-O was adopted to implement traffic safety measures, improve the visual character and to preserve the scenic quality of the corridor. The overlay zoning district also creates

consistency and coordination between the City of Charleston and unincorporated Charleston County concerning land use, design standards and code enforcement.

§5.12.2 PURPOSE AND INTENT

The purpose of the ARRC-O is to create a corridor that is well-planned and attractive through the implementation of land use and design standards and utilize traffic safety measures and access management for vehicles and pedestrians to ensure safe and efficient traffic movement.

§5.12.3 EFFECT OF OVERLAY DISTRICT

The ARRC-O regulations of this Article apply in addition to the underlying (base) zoning district and all other applicable regulations of this Ordinance to impose different development rules for properties within the overlay zoning district. In case of conflict between the regulations of this Article and other regulations in this Ordinance, the regulations of this Article shall control. These overlay zoning district regulations are intended to be consistent with similar regulations adopted by the City of Charleston. Legally established existing development that does not meet the requirements as described in this Article shall be considered legal nonconforming and shall be subject to the legal nonconforming requirements of this Ordinance unless otherwise stated.

§5.12.4 APPLICABILITY

The standards of this Article shall apply to all development within the ARRC-O, as shown on the map titled "Ashley River Road Corridor Overlay Zoning District" except single family residential development and existing multi-family and Planned Developments.

§5.12.5 COORDINATION WITH ADJACENT JURISDICTIONS

Charleston County will notify the City of Charleston of all land development applications submitted for unincorporated properties located within the ARRC-O, with the exception of applications for single family detached residential development. The purpose of the notification is to ensure that the City of Charleston is aware of proposed development.

§5.12.6 GENERAL DEVELOPMENT STANDARDS AND REQUIREMENTS

The following development standards and requirements apply to all parcels within the ARRC-O as described below. All development applications shall, at the time of application, include documentation that the following requirements will be met prior to the issuance of any approvals or zoning permits:

A. Vehicle Access General

1. All parcels in this overlay zoning district with a zoning district designation of Office Residential (OR) are allowed one curb cut per 75 feet of road frontage; all other commercial or multifamily uses are allowed one curb cut every 150 feet.

2. Access drives on corner lots shall be located only on the side street and not on Highway 61 and there shall also be a minimum distance of 75 feet from the street intersection as measured from the edge of the intersecting roadway to the beginning of the driveway radius.

3. All applications for development of nonresidential uses shall include suitable access management plans demonstrating that the driveway separation requirements will be met. The following techniques may be employed to achieve this result, but the burden of accomplishing the desired effect remains with the developer or owner of the property:

- a. Aggregation of parcels;
- b. Parallel frontage or “backage” roads;
- c. Shared curb cuts between adjoining properties; and
- d. Shared access easements between parcels.

B. Shared Access

1. Each parcel involved in a shared access agreement shall be allowed an increase in building cover up to a maximum of forty percent (40%) of the lot.

2. The applicant must request a shared access with the adjacent property if frontage along Highway 61 is less than 250 feet and the adjacent property does not contain a single family detached residential zoning district or use. If the owner of the adjacent parcel does not agree to share access, the applicant shall provide one (1) of the following to the Planning Department:

- a. A letter from the adjacent property owner denying access; or
 - b. If the adjacent property owner refuses to provide a letter, an affidavit that documents attempts that the applicant made to request shared access and that the neighboring property owner refused to provide a letter.
3. If subsection b applies, a curb cut is permitted on the subject parcel only with a recorded agreement that the property owner will allow adjacent properties to share access when developed redeveloped or when rezoned.
4. Shared access should be located along a common property boundary.

C. Traffic Study

A traffic impact analysis shall be required in all instances in which the proposed development area exceeds five (5) acres or if the proposed development includes one or more of the following:

1. Fifty (50) or more dwelling units;
2. One (1) or more drive through service windows;
3. Six (6) or more fuel dispensing units;
4. More than 10,000 square feet of floor area;
5. Requires a variance from the driveway (curb-cut) spacing requirements;
6. A restaurant with more than 4,000 square feet of gross floor area; or
7. Where the number of peak hour vehicle trips is projected to exceed 100 per the latest edition of the Institute of Transportation Engineers Trip Generation Manual.

Such traffic impact analysis shall comply with the requirements of Sections 9.9.2 and 9.9.3, Traffic Impact Studies, of this Ordinance, and shall be prepared by a qualified professional. Traffic impact studies shall be provided to the County for review simultaneous with submission of the preliminary site plan for consideration.

A. Pedestrian Access

Bike and pedestrian ways shall be included in site design and shall link access to adjacent parcels, as well as within the development area. Grade-separated pedestrian walkways shall provide direct connections from the street to the main entrance and to abutting properties. Pedestrian walkways shall be designed and located in a manner that does not require pedestrians to walk through parking lots or within driveways.

B. Signs

All new signage must comply with the requirements of this section in addition to the applicable requirements in Article 9.11.

1. Legal nonconforming signs and amortization

a. Any existing legal nonconforming sign in this overlay district permitted before March 10, 2015 that does not meet the standards set forth in this Article must be removed prior to establishing a new business or no later than January 1, 2020, whichever may occur first.

b. Any existing legal nonconforming sign that is abandoned, as defined in Chapter 12 of this Ordinance, or requires repair, must meet the requirements of this Article.

2. Free Standing Signs

The standards below apply to all free standing signs including all real estate signs.

- a. All signs shall be monument style.
- b. Signs shall have a maximum height of 8 feet and a maximum size of forty (40) square feet.
- c. Shared shopping center signs shall be allowed with a maximum height of ten (10) feet and maximum size of sixty (60) square feet.
- d. Electronic message board signs and billboards are prohibited.

3. Illumination

- a. Illuminated signs located adjacent to any parcel containing a residential use shall be controlled so as not to create excessive glare onto the property, and footcandles shall be reduced by one-half the maximum allowable footcandle after hours of operation.
- b. Illumination that simulates traffic control devices or emergency vehicles is prohibited.
- c. All illumination must be from a steady, stationary light source.
- d. Internal Illumination.
 - i. Internally illuminated signs must be constructed of routed aluminum or similar opaque material or channel lit so that only letters, numbers, and/or logos are illuminated.
 - ii. All finishes shall be a matte finish.
- e. External Illumination.
 - i. Illumination shall be from a steady stationary light source, shielded and directed solely at the sign.
 - ii. Light sources to illuminate signs shall be shielded so as to not cause glare hazardous to pedestrians or vehicle drivers and to not create a nuisance to adjacent properties.
 - iii. The intensity of light shall not exceed twenty (20) footcandles at any point on the sign face.
 - iv. The color of light sources to illuminate signs shall be white.
- f. Signs shall not have light reflecting backgrounds or letters.

C. Land Use Buffers

1. A minimum of a twenty-five (25) foot vegetated buffer shall be required when adjacent to any parcel containing a residential use; and
2. Fencing may be required to screen adjacent or surrounding residential uses. When a minimum six (6) foot high opaque fence or wall is utilized, the Planning Director may reduce the land use buffer by up to one-half (1/2) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than ten (10) feet in depth.

D. Building Coverage

The building coverage shall not exceed thirty-five percent (35%) of the parcel, except as otherwise allowed in this Article. However, the building coverage may be increased up to fifty percent (50%) of the parcel when the increase is offset by an equal area of driveways, parking or other hardscape areas that utilize pervious materials. Pervious materials may include, but are not limited to pervious pavers, pervious concrete or other appropriate pervious surface treatments that do not cause surface water to runoff and that allow water to absorb into the ground, as approved by the Planning Director.

E. Parking

Applications for restaurant, bar or lounge uses shall include parking plans that indicate the locations of both the required on-site parking and possible overflow parking associated with the business. All parking shall be located on the subject property or on adjacent commercially zoned property in accordance with Table 6.1-1, Use Table, and Article 9.3.4 of the Ordinance.

F. Noise

All activity must comply with the Charleston County Livability Ordinance. There shall be no pick-up or delivery of trash or merchandise scheduled for businesses in this area between the hours of 11:00 pm and 7:00 am. Any proposed outdoor use that provides live or amplified music shall comply with the Special Exception provisions of this Ordinance.

G. Multiple Uses

Parcels may include both residential and nonresidential uses when developed in accordance with all Multiple Use Overlay Zoning District regulations and other applicable regulations of this Ordinance.

§5.12.7 LIGHT COMMERCIAL AREA (Ashley Hall Road to Wappoo Road)

The Light Commercial Area extends from Ashley Hall Road to Savage Road as illustrated on the ARRC-O map entitled "Light Commercial Area". This area consists primarily of mixed lighter commercial and multifamily development surrounded by established residential uses. This portion of the overlay zoning district is intended to provide appropriate services to the established neighborhoods and a transition from the more intense commercial development in the Commercial Core

Area. The requirements of this Section apply to parcels in the Light Commercial Area of the ARRC-O as indicated on the map. All development applications shall, at the time application is made, provide documentation that the following requirements will be met:

A. Permitted uses

Permitted uses include uses as allowed in the Office Residential (OR), Neighborhood Commercial (CN), Commercial Transition (CT), Office General (OG), and Community Commercial (CC) Zoning Districts as indicated on the ARRC-O map and as described in Table 6.1.1, Use Table.

B. Prohibited uses

Auto Dealers (New), Vehicle Storage, Boat/RV Storage, Shooting Ranges, Hotels or Motels, Outdoor Display of Goods, Consumer Vehicle Repair, Tattoo Parlors, Title Loan and Short Term lenders, Pawn Shops and Self- Storage Facilities.

C. Uses Requiring Special Exception

Restaurants (all types), Vehicle Repair, Gasoline Service Stations (with or without convenience stores), Liquor, Beer, or Wine Sales (as defined in this Ordinance), Bar or Lounge, and Used car Sales.

D. Building Size

No single building footprint shall exceed 7,500 square feet unless approved under the Special Exception procedures of this Ordinance. The Building Cover requirements of this Article apply in addition to the requirements of this Section.

E. Building Height

Building height in these areas is limited to a maximum of 35 feet and two and a half (2.5) stories. The Building Height definition contained in Chapter 12 of this Ordinance shall apply. However, the height may be a maximum of fifty five (55) feet and four (4) stories may be approved by the Planning Director when the building meets all applicable setback and buffer requirements and the following conditions:

a. The portion of the building exceeding thirty-five (35) feet in height is stepped back at least thirty (30) feet from the portion(s) of the building that meets the thirty-five (35) foot height requirement; and

b. The stepped portion is measured from the outside edge of the building that is parallel to a right-of-way and, if applicable, from the outside edge of the building that is parallel to an adjacent parcel which contains or is zoned for single family detached residential use.

F. Right of Way Buffer

A minimum of a twenty-five (25) foot deep vegetated right-of-way buffer shall be required along Highway 61, which may be reduced to eight (8) feet when there is no parking or vehicular use area between the buildings and rights-of-way.

§5.12.8 COMMERCIAL CORE AREA (Wappoo Road to William Kennerty Drive) The Commercial Core Area is a major commercial node in this part of West Ashley and extends from Wappoo Road to William Kennerty Drive as shown on the ARRC-O map entitled “Commercial Core Area”. This area consists of higher intensity commercial uses such as chain type restaurants, vehicle service and repair, drug stores, shopping centers, and gas stations with minimal buffering along Ashley River Road. Future development in this area is intended for higher intensity commercial uses than those found in the other areas of the corridor. The requirements of this Section apply to parcels within the Commercial Core Area. All development applications shall, at the time application is made, provide documentation that the following requirements will be met:

A. Permitted uses

Permitted uses shall include those uses as allowed in the Neighborhood Commercial (CN) and Community Commercial (CC) Zoning Districts as indicated on the ARRC-O map and as described in Table 6.1.1, Use Table.

B. Prohibited uses

Shooting Ranges and Self-Storage Facilities are prohibited.

C. Uses Requiring Special Exception

Liquor, Beer, or Wine Sales (as defined in this Ordinance) and Bar or Lounge require Special Exception approval pursuant to the requirements of this Ordinance.

D. Building Height

Building height is limited to a maximum of 35 feet and two and a half (2.5) stories. The Building Height definition contained in Chapter 12 of this Ordinance shall apply. Building heights of up to fifty-five (55) feet and four (4) stories may be approved by the Planning Director when the building meets all applicable setback and buffer requirements and the following conditions:

a. The portion of the building exceeding thirty-five (35) feet in height is stepped back at least thirty (30) feet from the portion(s) of the building that meets the thirty-five (35) foot height requirement; and

b. The stepped portion is measured from the outside edge of the building that is parallel to a right-of-way and, if applicable, from the outside edge of the building that is parallel to an adjacent parcel which contains or is zoned for single family detached residential use.

E. Right of Way Buffer

A minimum of a twenty-five (25) foot deep vegetated right-of-way buffer shall be required along Ashley River Road which may be reduced to eight (8) feet when there is no parking or vehicular use area between the buildings and rights-of-way.

§5.12.9 VILLAGE COMMERCIAL AREA (William Kennerty Drive to Church Creek)

The Village Commercial Area extends from William Kennerty Drive to Church Creek as illustrated on the ARRC-O map entitled "Village Commercial Area". This area currently consists of mixed scale high to medium intensity commercial development such as shopping centers and consumer services, small scale offices, restaurants, and some multi-family uses. This area is intended to be developed with less intense commercial development than the Commercial Core area. Future development in this area should place high priority on pedestrian connectivity between businesses and neighborhoods with attractive planted streetscapes and building architecture. The requirements of this Section apply to parcels within the Village Commercial Area as indicated on the map. All development applications shall, at the time application is made, provide documentation that the following requirements will be met:

A. Permitted uses

Permitted uses include those uses as allowed in the Residential Office (OR), Neighborhood Commercial (CN), and Community Commercial (CC) Zoning Districts as indicated on the Overlay map and as described in Table 6.1.1, Use Table.

B. Prohibited uses

Multi-family development not part of a mixed use development; Tow Facilities; Auto Dealers (New and Used); Exterior Display of Goods; Shooting Ranges; Fire Works Stands (permanent and temporary); Self- Storage Facilities; and Tattoo parlors shall be prohibited uses.

C. Uses Requiring Special Exception

Vehicle Storage; Boat/RV Storage; Used Car Sales; Bars or Lounges; Consumer Vehicle Repair; Fast Food Restaurants Gasoline Service Stations (with or without convenience stores); Indoor Recreation and Entertainment; Consumer Vehicle Repair; and Liquor, Beer, or Wine Sales (as defined in this Ordinance) require Special Exception approval pursuant to the requirements of this Ordinance.

D. Building Height

Building height in these areas is limited to a maximum of 35 feet and two and a half (2.5) stories. The Building Height definition contained in Chapter 12 of this Ordinance shall apply.

E. Building Size

No single building footprint shall exceed 10,000 square feet unless approved under the Special Exception procedures of this Ordinance. The Building Cover requirements of this Article apply in addition to the requirements of this Section.

F. Lighting

Lighting shall be required and comply with §9.6.4 C of this Ordinance. In addition, architectural style lighting shall be required along all sidewalks every fifty (50) feet on center with a maximum height of twenty (20) feet.

G. Pedestrian Access

Bike and pedestrian ways shall be included in site design and shall link access to adjacent parcels, as well as within the development area. Pedestrian walkways shall be separated from the travel ways and may be located within right of ways or within buffers and shall provide direct connections from the street to the main entrance and to abutting properties. Pedestrian walkways shall also be designed and located in a manner that does not require pedestrians to walk through parking lots or within driveways.

H. Right of Way Buffer

A minimum of a thirty-five (35) foot deep vegetated right-of-way buffer shall be required along Highway 61, which may be reduced to twenty (20) feet when there is no parking or vehicular use area between the buildings and rights-of-way.

The Chairman called for a roll call vote on third reading of the ordinance. The roll was called and votes were recorded as follows:

Condon	- aye
Darby	- absent
Johnson	- absent at time of voting
Pryor	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye

The vote being seven (7) ayes and two (2) absent, the Chairman declared the ordinance to have received third reading approval.

A report was furnished by the Finance Committee under date of March 10, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Facilities Management Director Dan Chandler regarding a request received from the Four Mile Community to lease a piece of County-owned property. It was stated that on January 6, 2011, the County transferred 4.61 acres of a 5.26 acre tract to the Four-Mile Community Association and the remaining .65 acres located at 1796 Labor Camp Road was used as the Sheriff's Traffic Squad. It was shown that the

**Labor Camp
Road
Property
Lease**

Request to
Approve

Sheriff's Traffic Squad has moved to the new Law Enforcement Center and the County has no use for the residual property. It was also shown that the Four-Mile Community Association has requested use of the facility to be used along with the 4.61 acre tract for recreational purposes.

Committee recommended that Council:

1. following a public hearing on the matter, authorize the use by the Four-Mile Community Association of 1796 Labor Camp Road, Mt. Pleasant, South Carolina for recreational purposes for \$1 per year with the understanding that the term of the lease will be for a twenty (20) year period renewable every five (5) years and that all legal documents will be developed by the County Attorney's Office.
2. authorize the County Administrator to approve the exercise of the future options.

It was shown that a public hearing on the matter had been held on March 24, 2015, at 6:30 PM.

Ms. Condon moved approval of the committee recommendation, seconded by Mr. Rawl, and carried.

**ZLDR
Amendments/
Special
Events Uses**

A) Request to
Approve
B) Ordinance
1st Reading

A report was furnished by the Planning/Public Works Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Zoning and Planning Director Dan Pennick regarding a proposed amendment to the Zoning and Land Development Regulations to prohibit special events as principal uses in the S3 and R4 zoning districts and increase property size requirements for principal special events uses. It was shown that staff and Planning Commission both recommended approval of the proposed amendment.

Committee recommended that Council approve the requested amendment.

Ms. Condon moved approval of the committee recommendation, seconded by Mr. Rawl, and carried.

An ordinance amending the Zoning and Land Development Regulations was given first reading by title only.

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS
AMENDED: CHAPTER 6, USE REGULATIONS.**

The ordinance in its entirety will appear in the Minutes of Charleston County Council at the time of third reading.

The Chairman announced that the next item on the agenda was the Consent Agenda.

Ms. Condon moved approval of the Consent Agenda, seconded by Mr. Rawl, and carried.

Consent Agenda items are as follows:

A report was furnished from the Finance Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Council Chairman Elliott Summey regarding naming the Mosquito Control Helicopter Hangar on Johns Island in memory of Michael Haines. It was shown that this request meets all of the criteria set forth in the Naming County Facilities Policy, which was adopted by County Council on September 4, 2007, as follows:

- Michael Haines served as an employee of Charleston County Government for 42 years as the helicopter pilot and mechanic for Mosquito Abatement.
- Michael Haines has an exemplary reputation. Not only was he employed by Charleston County Mosquito Control, he was also Chief of Goose Creek Rural Fire Department and was a member of SC State Firefighters' Association, South Carolina State Association of Fire Chiefs, Berkeley County Fire Chiefs' Association, and International Association of Arson Investigators.
- Michael Haines worked in the geographical area of the county where the facility is located as he piloted the helicopter which is housed in the hangar.
- Michael Haines passed away on January 30, 2015, which is longer than the 45 day waiting period following the honoree's death required by the policy.

Committee recommended that Council approve naming the Mosquito Control Helicopter Hangar on Johns Island in memory of Michael Haines.

A report was furnished from the Finance Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett Tolbert regarding the need to award a contract for the Anna Knapp and Park West Boulevard Sidewalk projects located in the Town of Mount Pleasant. It was stated that the Anna Knapp Boulevard project will consist of installing concrete sidewalk along the east and west side of Anna Knapp Boulevard from the frontage road to near Queensborough Boulevard to provide connection with exiting sidewalks, and the Park West Boulevard project will consist of installing concrete sidewalk along the east and west side of Park West Boulevard from US 17 to the roundabout to provide connection with exiting sidewalks. It was shown that the work shall include, but is not limited to site excavation, concrete sidewalk installation, erosion and sedimentation control,

**TST Anna
Knapp and
Park West
Sidewalks**

Award of
Contract

maintenance of traffic during construction, roadway signing, pavement striping, and associated appurtenance, and the project will be constructed utilizing the items listed on the bid form in the solicitation. It was further stated that Bids were received in accordance with the terms and conditions of Invitation for Bid No. 4939-15C, and that the mandatory Small Business Enterprise (SBE) utilization for this solicitation is 12.2% and the Disadvantaged Business Enterprise (DBE) goal is 20%.

Bidder	Total Bid Price	SBE %	DBE %
IPW Construction Group, LLC Charleston, South Carolina 29423 Principal: Cyrus D. Sinor	\$205,708.90	100%	100%
AOS Specialty Contractors, Inc. Lexington, South Carolina 29073 Principal: Dianne Rushing	\$287,440.00	100%	100%

Committee recommended that Council authorize award of bid for the Anna Knapp and Park West Sidewalks project to the lowest responsive and responsible bidder, IPW Construction Group, LLC, Inc., in the amount of \$205,708.90 with the understanding that funds are available in the Roads portion of the Transportation Sales Tax.

A report was furnished by the Finance Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett Tolbert regarding the need to award a contract for the Ben Road paving project requested by the Town of James Island and located off of Fort Johnson Road. It was stated that this project will consist of paving Ben Road and Ben Road Extension with warm mix pervious asphalt pavement. It was shown that the town has agreed to provide matching funding, up to \$186,000.00, from the town's public works budget, and further, the town has issued municipal consent for the construction of the project per Town Council Resolution 2014-20. It was further shown that the work shall include, but is not limited to site excavation, sub-grade preparation, grading, aggregate base installation, warm mix pervious asphalt paving, erosion and sedimentation control, maintenance of traffic during construction, roadway signing, pavement striping, and associated appurtenances, and the project will be constructed utilizing the items listed on the bid form in the solicitation.

Only one bid was received in accordance with the terms and conditions of Invitation for Bid No. 4938-15C, and this is the first time that warm mix pervious pavement has been competitively bid. In addition, the current passive bidding environment may have been a factor in receiving only one bid; however, this contractor and their designated asphalt paving subcontractor successfully completed our non-competitively awarded pilot project, the Joseph White Road, demonstrating the use of this environmentally beneficial technology. The bids were within the Engineer's

**TST Ben
Road
Pervious
Asphalt
Pavement**

Award of
Contract

construction estimate and within the project budget. The mandatory Small Business Enterprise (SBE) utilization for this solicitation is 12.2% and the Disadvantaged Business Enterprise (DBE) goal is 20%.

Bidder	Total Bid Price	SBE %	DBE %
Celek and Celek Construction Inc. Charleston, South Carolina 29416 Principal: Brian Celek	\$371,829.00	100%	14.12%

Committee recommended that Council authorize award of bid for the TST Ben Road – Warm Mix Pervious Asphalt Pavement to Celek and Celek Construction Inc., the lowest responsive and responsible bidder, in the amount of \$371,829.00 with the understanding that funds are available in the roads portion of the Transportation Sales Tax and that the Town of James Island will provide matching funding, up to \$186,000.00, from the town's public works budget, and further, the town has issued municipal consent for the construction of the project per Town Council Resolution 2014-20.

Law
Enforcement
Assistance &
Support/
Myrtle Beach

Request to
Approve

A report was furnished by the Finance Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Sheriff J. Al Cannon, Jr. regarding the need to adopt a resolution approving the Law Enforcement Assistance and Support Agreement between Charleston County Sheriff's Office and the City of Myrtle Beach Sheriff's Offices for an operation April through May 2015. It was stated that in accordance with a recent SC Supreme Court decision, County Council approval is required for a Sheriff's Office approved Law Enforcement Assistance and Support Agreement to be valid.

Committee recommended that Council adopt a resolution to approve and ratify the Law Enforcement Assistance and Support Agreement between Charleston County Sheriff's Office and the City of Myrtle Beach Sheriff's Office for a period of April through May 2015.

The resolution is as follows:

A RESOLUTION

To Approve Law Enforcement Assistance and Support Agreement Between
Charleston County Sheriff's Office and City of Myrtle Beach

WHEREAS:

1. A recent South Carolina Supreme Court decision found that for a Sheriffs Office approved Law Enforcement Assistance and Support Agreement to be valid, it would have to be approved by the County Council; and
2. The Charleston County Sheriff's Office has entered into a Law Enforcement Assistance and Support Agreement with the City of Myrtle Beach; and

3. Staff recommends that Council approve and ratify the Law Enforcement Assistance and Support Agreement with the City of Myrtle Beach.

NOW, THEREFORE, BE IT RESOLVED, in meeting duly assembled, **CHARLESTON COUNTY COUNCIL** does hereby approve the Law Enforcement Assistance and Support Agreement with the City of Myrtle Beach (attached and included herein by reference).

CHARLESTON COUNTY COUNCIL

J. Elliott Summey, Chairman
March 24, 2015

Paul
Coverdell
Grant/
Coroner's
Office

Request to
Approve

A report was furnished by the Finance Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Coroner Rae Wooten regarding permission to apply for the continuation of a SC Department of Public Safety, Office of Highway Safety and Justice Programs, Paul Coverdell Forensic Science Improvement Grant which they were awarded for FY2014. It was stated that this grant program provides a cremation authorization assistant and the Coroner's Office is requesting \$27,000 from the SC Department of Public Safety to fund a one-year, part-time cremation authorization assistant who will assist the Coroner with the cremation requests that are received by the Coroner's Office each day. It was shown that this position includes handling all aspects of the cremation authorization process to include; receiving cremation requests from funeral homes, entering the required information into our case management system, ensuring all required information has been received and that it is organized per our policy, submitting the required paperwork to the on call Deputy Coroner for final approval, requesting medical records and information from medical records personnel as each case indicates, submit the required permit and associated documentation back to the funeral home, assist with the billing associated with the cremation permits, file case work and permits within our records management/storage area and that during down time the cremation assistant will assist with filing and reorganizing our records management area to ensure proper filing of case files to ensure timely location of cases. It was further stated that there are two grant funded PTEs associated with this request, and the grant period is October 1, 2015 through September 30, 2016, with no match required.

Committee recommended that Council approve the Coroner's Office request to apply for the continuation of a SC Department of Public Safety, Office of Highway Safety and Justice Programs, Paul Coverdell Forensic Science Improvement Grant Program in the amount of \$27,000 to employ one-year grant funded PTE positions, with the understanding that no match is associated with this grant which runs from October 1, 2015 through September 30, 2016 and the County is under no obligation to support the costs associated with these PTE positions at the end of the grant period.

**State Ports
Authority
Easement/
Hubner**

A) Request to
Approve
B) Ordinance
1st Reading

The previous agenda item was the last item on the Consent Agenda.

A report was furnished by the Finance Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Facilities Management Director Dan Chandler regarding a request received from the State Ports Authority for an easement on a portion of County-owned property. It was stated that on December 6, 1996, as stipulated by the Inducement Resolution, Hubner Manufacturing Corporation conveyed title to Parcel ID Number 537-00-00-062 to the County, located at 355 Wando Place Drive, Mt. Pleasant, S.C. The property adjoins the State Ports Authority property, Parcel ID Number 537-00-00-041.

It was shown that the State Ports Authority is requesting an access easement of approximately 25' x 322', off Wando Park Blvd. Hubner and the County are the Grantors, and the State Ports Authority is the Grantee. Hubner will be responsible for the cost of constructing, maintaining, and repairing the easement access as needed.

Committee recommended that Council:

1. Approve and give first reading to an ordinance granting an access easement with the State Ports Authority for approximately 25' x 322' on property located at 355 Wando Place Drive, Mt. Pleasant, SC, TMS: 537-00-00-062.
2. Authorize Chairman of Council to execute an access easement with the understanding that the County Attorney's Office will review documents.

Mr. Pryor moved approval of the committee recommendation, seconded by Ms. Condon, and carried.

An ordinance granting an easement to the State Ports Authority was given first reading by title only.

**AN ORDINANCE
APPROVING AND AUTHORIZING THE GRANT OF AN EASEMENT
TO SOUTH CAROLINA PORTS AUTHORITY
ON A PORTION OF COUNTY PROPERTY, IDENTIFIED AS
TAX MAP PARCEL NUMBER 537-00-00-062,
LOCATED AT 355 WANDO PLACE DRIVE, MT. PLEASANT, SOUTH CAROLINA**

The ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

**Greenridge
Properties
Tax
Abatement**

Request to
Approve

A report was furnished by the Finance Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding a tax abatement extension for Greenridge Properties, LLC. It was stated that on October 10, 2014 Greenridge

LLC purchased the assets of KST Holdings, LLC for \$3,600,000. It was shown that Kailburn, Inc. a manufacturer and tenant of Greenridge Properties, LLC, will be retaining the existing 113 member staff formerly employed under KST Holding, LLC with a total combined annual payroll of \$6.5 M. It was stated that the new owner Greenridge Properties, LLC is requesting an extension on the statutory 5 year abatement allowed by law for manufacturers, distributors, research & development and corporate office facilities to cover the real property they have recently acquired. It was further stated that the South Carolina Code of Laws allows for an additional 5 year abatement of the County portion of property taxes when such a transaction meets the necessary requirements. Both Greenridge Properties, LLC and Kaliburn, Inc. have met the requirements.

- 1.) The purchaser is unrelated to the seller
- 2.) The sale is an arm's length transaction
- 3.) The purchaser preserves the existing facility and existing number of jobs at the facility
- 4.) The purchaser invested an additional \$50,000 in a new facility or an addition to the existing facility
- 5.) The purchaser must obtain approval of the governing body of the County for the extension

Greenridge Properties, LLC has certified to the South Carolina Department of Revenue) that it met requirements #1-3. Greenridge Properties, LLC and its tenant Kaliburn, Inc. have also certified to the County that they have met these requirements. Greenridge Properties, LLC has met requirement 4 by virtue of purchasing the company from KST Holding, LLC for \$3,600,000. It was shown that the five year abatement of the County portion of property taxes on the eligible real property from 2015-2019 will equate to approximately \$88,452, and that the approximately property tax paid to North Charleston, Charleston County Schools, Trident Technical College and the Charleston County Parks and Recreation Commission would be \$434,322. It was further shown that following the lifting of the abatement in 2020, the Charleston County tax payment will approximately \$16,690 annually and the tax payment for all taxing entities will be approximately \$104,555 annually.

Committee recommended that Council approve a resolution granting a Five Year Abatement of the County portion of property taxes to Greenridge Properties, LLC during the tax year period of 2015-2019 and authorize the Chairman of County Council to sign the South Carolina Department of Revenue form PT-444 indicating approval of the County governing body.

Mr. Pryor moved approval of the committee recommendation, seconded by Ms. Condon, and carried. Messrs. Qualey and Schweers voted against the motion.

Ms. Johnson arrived at the meeting.

**County
Funds
Advanced
to CARTA**

A report was furnished by the Finance Committee under date of March 19, 2015, that it considered the information furnished by County Administrator Kurt Taylor and Chief Deputy Administrator for Finance Keith Bustraan regarding funds advanced to Charleston Area Regional Transportation Authority (CARTA). It was stated that In recognition of its importance to the community and the funding challenges it faces, over the years County Council has advanced funding to CARTA. This funding has come from the Transportation Sales Tax (TST) Fund, as state law restricts the sources of funding allowed to be used for public transit. It was shown that between FY 2006 and 2012, the sum of \$7,577,376 has been advanced to CARTA by Charleston County. Most of the funds were for repayment of a loan taken out against CARTA's maintenance facility. Council approved a repayment plan and in June of 2012 delayed its commencement until FY 2014. In June of 2013 the repayment was delayed until FY 2016. The current repayment plan is as follows (in millions of dollars):

FY	Approp Base	Loan Repayment	Net Total
2015	7.643	0	7.643
2016	7.927	(0.413)	7.514
2017	8.223	(0.425)	7.798
2018	8.529	(0.438)	8.091
2019	8.844	(0.451)	8.393
2020	9.173	(0.465)	8.708
2021	9.515	(0.478)	9.037
2022	9.870	(0.494)	9.376
2023	10.236	(0.508)	9.728
2024	10.614	(0.523)	10.091
2025	11.010	(0.538)	10.472
2026	11.421	(0.555)	10.866
2027	11.847	(0.572)	11.275
2028	12.287	(0.589)	11.698
2029	12.228	(0.607)	11.621
2030	8.281	(0.522)	7.759
	157.648	(7.578)	150.070

It was also shown that upon discussions with CARTA staff and reviewing CARTA's financial position, it is apparent that CARTA faces major funding challenges in terms of both cash flow and capital replacement. With regard to cash flow, owing to delays in federal reimbursements CARTA is significantly delinquent in its monthly payments to its contracted transit operator Transdev North America (formerly Veolia). Concerning capital replacement, CARTA has one of the oldest public transportation fleets among its peers and faces substantial vehicle replacement needs.

Committee recommended that Council permanently forego the repayment of \$7,577,376 advanced to the Charleston Area Regional Transportation Authority from Charleston County's Transportation Sales Tax Roads program.

Mr. Pryor moved approval of the Committee recommendation. The motion was seconded by Ms. Condon.

Mr. Schweers stated that he would be voting against the motion because he believed there was opportunity for CARTA to save \$7.5 million in their budget.

The Chairman called for a vote on the motion. The motion carried. Messrs. Qualey, Sass, and Schweers voted against the motion.

The Chairman asked if any member of Council wished to bring a matter before the Body.

**Council
Member
Comments**

Mr. Rawl stated that staff had conducted a charette on the future plans for 995 Morrison Drive and he thanked Walt Smalls, Dan Pennick, and the 17 other staff members who worked on the charette. He asked staff to bring a presentation on the information gathered at the workshop to the next Finance Committee.

Mr. Pryor requested a hard copy of the proposals emailed to Council regarding emerging technology.

Chairman Summey stated that he had scheduled a Special Finance Committee on Tuesday, April 7, 2015 at 5:30 PM to allow both companies who submitted proposals regarding emerging technology to make presentations.

Ms. Johnson stated that she was late to the meeting because she had been attending a Library Board of Trustees meeting and that the Library Board had voted to recommend locations for the new libraries to be constructed in Hollywood, Mt. Pleasant, and North Charleston and had also asked staff for more input on potential locations in West Ashley and James Island.

There being no further business to come before the body, the Chairman declared the meeting to be adjourned.

Kristen L. Salisbury
Deputy Clerk of Council