

**AMENDED**  
City Hall  
80 Broad Street  
December 3, 2019  
5:00 p.m.

## **CITY COUNCIL**

### **A. Roll Call**

### **B. Invocation – Councilmember Moody**

### **C. Pledge of Allegiance**

### **D. Presentations and Recognitions**

1. Presentation of the 2020 Robert Ballard Award
2. Proclamation recognizing Dr. Martin Perlmutter Day

### **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 providing for the distribution of funds for fiscal year 2020 generated by the Municipal Accommodations Fee as required by Ordinance No. 1996-18.
2. An ordinance providing for the distribution of funds for fiscal year 2020 generated by the Municipal Accommodations Fee as required by Ordinance No. 1996-56.
3. An ordinance to make appropriations to meet the liabilities of the City of Charleston for the fiscal year ending December 31, 2020.
4. An ordinance to raise funds for the fiscal year ending December 31, 2020 and to meet the appropriation of \$237,951,128 authorized by Ordinance 2019-\_\_\_\_\_ ratified the 17th day of December, 2019.

### **F. Act on Public Hearing Matters**

### **G. Approval of City Council Minutes:**

1. November 12, 2019

### **H. Citizens Participation Period**

### **I. Petitions and Communications:**

### **J. Council Communications:**

- a. Discussion and request for Legal Department to draft an ordinance that states that the City

will not contract work to any business that has donated to current City office holders during a current election. *(Requested by Councilmember Harry J. Griffin)*

#### **K. Council Committee Reports:**

##### **1. Committee on Public Works and Utilities: (Meeting was held Monday, December 2, 2019 at 4:00 p.m.)**

###### **a. Acceptances and Dedications:**

(i) Acceptance and Dedication Riverview Estates - Weeping Way (60' R/W 251 LF) a portion of Striped Lane (50' R/W 973 LF) a portion of Rubrum Road (50' R/W 155 LF) a portion of Thin Pine Drive (50' R/W 1280 LF). There are 48 lots. All improvements with the exception of sidewalks have been completed. The sidewalks have been bonded.

###### **b. Stormwater Management Department Update (waiting for additional updates from Stormwater Management):**

(i) Lord Calvert Drainage Improvements Construction Contract with Gulf Stream Construction Co. in the amount of \$197,734.96 for the installation of new storm drainage pipe along Lord Calvert Drive.

##### **2. Committee on Public Safety: (Meeting was held Tuesday, December 3, 2019 at 3:00 p.m.)**

a. An ordinance to amend Chapter 2, Section 56, to expand the responsibilities of the Public Safety Committee to include review of judicial candidates nominated by the Mayor.

*Give first reading to the following bill from Public Safety:*

An ordinance to amend Chapter 2, Section 56, to expand the responsibilities of the Public Safety Committee to include review of judicial candidates nominated by the Mayor. **(AS AMENDED)**

##### **3. Committee on Ways and Means:**

(Bids and Purchases

(Recommendations of State Accommodations Tax Advisory Committee that met and approved the attached budget on October 28, 2019

- 2020 Proposed State Accommodations Tax Budget

(Hospitality Fee Budget

- Approval of amended 2019 Hospitality Fee Budget

- Approval of proposed 2020 Hospitality Fee Budget

(2020 Municipal Accommodations Fee Ordinances for Capital Projects and Operating Expenses (2 Ordinances) *(Refer to Public Hearings – City Council Agenda Items #E1-E2)*

(2020 General Fund and Enterprise Funds Expenditure Budget (Ordinance) *(Refer to Public Hearings – City Council Agenda Item #E3)*

(2020 General Fund and Enterprise Funds Revenue Budget (Ordinance) *(Refer to Public Hearings – City Council Agenda Item #E4)*

(Approval of Year 2020 proposed Stormwater Utility Budget

- (Fire Department: Approval to accept the DHEC grants in the amount of \$77,754.00 for the Low Country Healthcare Coalition to support the Haz-Mat Team. Funds will be used to purchase detection and decon equipment. 20% in kind match required and will use salaries of personnel associated with the projects.
- (Stormwater Management: Approval of a Construction Contract with Gulf Stream Construction Co. in the amount of \$197,734.96 for the installation of a new storm drain pipe along Lord Calvert Drive. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved budget. Approval of the Construction Contract in the amount of \$197,734.96 will establish a project budget of \$217,508.46. The funding for this project is the Drainage Fund. *(Pending recommendation by the Committee on Public Works and Utilities.)*
- (Budget Finance and Revenue Collections: Approval of the Third Amendment to Contribution Agreement whereby the City and Medical University of SC Foundation agree to continue to fund West Edge Foundation, Inc. an amount up to \$200,000 per calendar year through 2021. After 2019, either or both parties may give notice to stop funding.
- (Approval of a Resolution adopting amendments to the City's Procurement Policy
- (Consider the following annexations:
- 1623 Woodcrest Avenue (TMS# 351-11-00-027) 0.24 acre, West Ashley (District 9). The property is owned by Kristen and Eric Chappell.
  - 1249 Wisteria Road (TMS# 351-12-00-111) 0.19 acre, West Ashley (District 9). The property is owned by Rachel Carson Holling.
  - 1701 Woodcrest Avenue (TMS# 351-11-00-021) 0.25 acre, West Ashley (District 9). The property is owned by Gregory R. Thomas.
  - 0 Oakville Plantation Road (TMS#317-00-00-007) 10.47 acres, Johns Island (District 5). The property is owned by Keith W. Lackey. *(DEFERRED)*
  - 2495 River Road (TMS#317-00-00-012) 4.75 acres, Johns Island (District 5). The property is owned by Gail Grimball. *(DEFERRED)*
  - 2493 Summerland Drive (TMS#317-00-00-075) 9.91 acres, Johns Island (District 5). The property is owned by Gary S. Worth. *(DEFERRED)*
  - 0 Summerland Drive (TMS# 317-00-00-076) 8.70 acres, Johns Island (District 5). The property is owned by Gary S. Worth. *(DEFERRED)*
- (Executive Session to discuss negotiations incident to proposed contractual arrangements and proposed sale or purchase of the Richardson property on Camp Road, pursuant to SC Code Section 30-4-70(a)(2).**

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

An ordinance to provide for the annexation of property known as 1623 Woodcrest Avenue (0.24 acre) (TMS# 351-11-00-027), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9. The property is owned by Kristen and Eric Chappell.

An ordinance to provide for the annexation of property known as 1249 Wisteria Road (0.19 acre) (TMS# 351-12-00-111), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9. The property is owned by Rachel Carson Holling.

An ordinance to provide for the annexation of property known as 1701 Woodcrest Avenue (0.25 acre) (TMS# 351-11-00-021), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9. The property is owned by Gregory R. Thomas.

**L. Bills up for Third Reading:**

1. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that properties on Sam Rittenberg Boulevard and Orleans Road (West Ashley) (53.029 acres) (TMS #310-04-00-009, 351-05-00-043 & 044 and 351-09-00-015 & 053) (Council District 7), be rezoned from General Business (GB) classification to Planned Unit Development (PUD) (Epic Center) classification. The property is owned by TMP SRE I, LLC and TMP SRE II, LLC and TMP SRE III, LLC. (AS AMENDED) (TO BE SENT UNDER SEPARATE COVER BY THE PLANNING DEPARTMENT)*
2. *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 AMENDED)(DEFERRED)*

**M. Bills up for Second Reading:**

**(City Council may give second reading, order to third reading, give third reading, and order engrossed for ratification any bill listed on the agenda as a second reading.)**

1. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that at 98 Line Street (Peninsula) (a portion of TMS #460-04-04-004) (0.016 acre of 0.12 acre parcel) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by Haute On Line, LLC.*
2. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1522 Balsam Street (West Ashley) (0.55 acre) (TMS #350-07-00-045) (Council District 7), be rezoned from Single- and Two-Family Residential (STR) classification to Diverse Residential (DR-1F) classification. The property is owned by Anthony Coaxum.*
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 645 East Bay Street (Peninsula) (0.11 acre) (TMS #459-06-04-021) (Council District 4), be rezoned from Limited Business (LB) classification to Mixed-Use/Work Force Housing (MU-1/WH) classification. The property is owned by Jimmy C Washington II.*
4. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1815 Beechwood Road (West Ashley) (0.65 acre) (TMS #354-07-00-101) (Council District 2), be rezoned from Single-Family Residential (SR-6) classification to Diverse Residential (DR-6) classification. The property is owned by Matt and Angela Chambers.*
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 2988 Bolton Road (West Ashley) (0.5 acre) (TMS #307-10-00-037) (Council District 5), annexed into the City of Charleston October 8, 2019*

- (#2019-096), be zoned Single-Family Residential (SR-1) classification. The property is owned by Sandra Lynn Mixson.
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 333 and 335 Wappoo Road (West Ashley) (0.46 acre) (TMS #350-10-00-144) (Council District 5), annexed into the City of Charleston October 8, 2019 (#2019-097), be zoned Single-Family Residential (SR-1) classification. The property is owned by Robert J. Suli.
  7. An ordinance authorizing the Mayor to execute the necessary documents to enter into that certain Option to Lease and Ground Lease between the City of Charleston (“Landlord”) and FlatIron Partners and Classic Development Company, Inc. (“Developer/Tenant”) for the development of affordable housing on certain parcels located in the Cooper River Bridge Redevelopment Area bearing TMS No. 459-05-04-208 (parcel for construction of apartments); TMS No. 459-05-04-116, 192, 193, 197, and 198 (parcels for stormwaer management and site drainage) and for the operation of affordable housing as described in said Ground Lease marked as Exhibit 1, attached hereto and incorporated by reference herein.
  8. An ordinance to provide for the annexation of property known as 403 Fleming Road (0.96 acre) (TMS# 343-07-00-067), James Island, 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 403 Fleming, LLC.
  9. An ordinance to provide for the annexation of property known as 1440 Dorset Lane (0.3 acre) (TMS# 352-09-00-081), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9. The property is owned by Shelia D. Pace.
  10. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to eliminate the requirement in Section 54-943(c) thereof for a three-fourths vote of all members of the City Council to adopt a proposed amendment, supplement, or change to the Zoning Ordinance or Zoning Map when the Planning Commission disapproves such amendment, supplement, or change or when a protest is presented. (Requested by Councilmember Perry K. Waring)
  11. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to the Design Review Board in order to establish board member alternates, prioritize placement of affordable/workforce housing projects on agendas, and limit the number of agenda items. (DEFERRED)
  12. An ordinance to amend Chapter 27, Stormwater Management and Flood Control, of the Code of the City of Charleston, to add a new Article IV to provide fill requirements for all new construction, developments, and redevelopments within the City. (DEFERRED)
  13. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 403 Fleming Road (James Island) (0.96) (TMS #343-07-00-067) (Council District 11), to be annexed into the City of Charleston December

- 3, 2019, be zoned Light Industrial (LI) classification. The property is owned by 403 Fleming, LLC. (DEFERRED FOR PUBLIC HEARING)
14. An ordinance to amend Chapter 29, Article V1, Sec. 29-240 of the Code of the City of Charleston pertaining to the procedure of accident reporting. (DEFERRED)
  15. 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 Workforce Housing Units within designated qualified Opportunity Zones. (DEFERRED FOR PUBLIC HEARING)
  16. 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 certain building construction operations during stated hours. **(AS AMENDED)** (DEFERRED)
  17. An ordinance to provide for the annexation of property known as 3894 Savannah Highway, and 711 & 715 Hughes Road (28.85 acres) (TMS# 287-00-00-139; and 287-00-00-140, 142, 178), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Colson Jean R Saltwater Breeze LLC. (DEFERRED)
  18. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to add to Sec. 54-299.4.b of the Zoning Ordinance a requirement for the installation of a twelve foot (12') wide multi-use path along the frontage of parcels within the Folly Road, FR, Overlay Zone; to authorize the Zoning Administrator to reduce the minimum required buffer plantings adjacent to a right-of-way and/or reduce the minimum required width of the multi-use path in certain circumstances, with appeal to the Board of Zoning Appeals-Site Design; and to amend Sec. 54-120 of the Zoning Ordinance to add definitions for the terms "bikeway" and "multi-use path." (Requested by Councilmember Carol Jackson) (DEFERRED FOR PUBLIC HEARING)
  19. An ordinance to amend Article III (Stormwater Management Utility) of Chapter 27 (Stormwater Management and Flood Control) of the Code of the City of Charleston, South Carolina, by eliminating the "Homestead Exemption" in Sec. 27-140(a), applicable to the payment of Stormwater Utility Fees; by deleting Sec. 27-132(j), (k), and (l), which contain certain findings associated with the adoption of the "Homestead Exemption" with respect to Stormwater Utility Fees; and to provide that the elimination of the "Homestead Exemption" in Sec. 27-140(a) shall not apply until January 1, 2020. (DEFERRED FOR PUBLIC HEARING)
  20. 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)
  21. 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) (00.72

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 HEARING) **Expires 11.27.19 (TO BE WITHDRAWN)**

22. 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)
23. 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)

#### **N. Bills up for First Reading**

1. An ordinance to amend Article 3, Part 2, Sec. 54-306 through 54-306.V, Old City Height Districts, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance), for corrections and clarifications.
2. **An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1815 Beechwood Road (West Ashley) (0.65 acre) (TMS #354-07-00-101) (Council District 2), be rezoned from Single-Family Residential (SR-6) classification to Diverse Residential (DR-6) classification. The property is owned by Matt and Angela Chambers. (DEFERRED)**
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is part thereof, so that property located on River Road, Summerland Drive, and Oakville Plantation Road (Johns Island) (126.95 acre) (TMS #317-00-00-007, 317-00-00-011, 317-00-00-012, 317-00-00-075, 317-00-00-076, and 317-00-00-089) (Council District 5), be zoned, and existing Light Industrial (LI) classification be rezoned to Planned Unit Development (PUD) classification. The property is owned by Keith W . Lackey, Gail Grimball, and Gary S. Worth. (DEFERRED)
4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to make rooftop eating and drinking places subject to the approval of a special exception in the GB, UC, MU-2, MU-2/WH, and UP base zoning districts, adopt regulations for rooftop eating and drinking places in the GB, UC, MU-2, MU-2/WH, and UP base zoning districts, and prohibit rooftop eating and drinking places in all other base zoning districts. (DEFERRED)
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 a portion of former Summerville Avenue right-of-way (Peninsula Neck) (approximately 1.4 acres) (Unzoned Right-of-Way) (Council District 4), be zoned General Business (GB) classification. The property is former right-of-way deeded to adjacent property owners. (DEFERRED)
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 6), 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. *(TO BE WITHDRAWN)*

**O. Miscellaneous Business:**

1. Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code for the receipt of legal advice concerning potential claims related to sea level rise. City Council may or may not take action after returning to open session.
2. The next regular meeting of City Council will be Tuesday, December 17, 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 [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.





**PROCLAMATION**

**WHEREAS,** the City of Charleston wishes to recognize Professor MARTIN PERLMUTTER, on the occasion of his recent retirement from the Yaschik/Arnold Jewish Studies Program at the College of Charleston; and

**WHEREAS,** originally from New York, MARTIN PERLMUTTER is the son of Jewish immigrants who fled Germany in 1938 to escape the Holocaust; and

**WHEREAS,** MARTIN PERLMUTTER has lived out the philosophy, passed on to him by his parents, ‘Your job in life is to do things. You have to make the world a better place;’ and

**WHEREAS,** in 1979, MARTIN PERLMUTTER joined the College of Charleston faculty, with a goal to create Jewish institutions, courses and programs at the College that would resonate with the students, faculty and wider community; and

**WHEREAS,** in 1984, under the direction of MARTIN PERLMUTTER, the first Jewish Studies Program was founded at the College of Charleston. After chairing the Philosophy Department for 8 years, Marty became the full-time Director of the Yaschik/Arnold Program in Jewish Studies in 1991; and

**WHEREAS,** through his leadership, MARTIN PERLMUTTER has fostered a campus culture that celebrates diversity and seeks to bring important racial and cultural topics to the forefront of conversation. His building blocks to the success of the program have been: community outreach, student life, and classes that explore Jewish history and thought; and

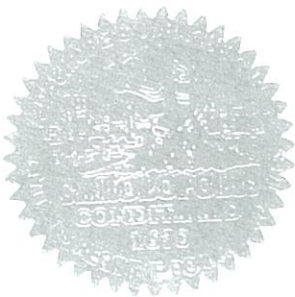
**WHEREAS,** MARTIN PERLMUTTER has had a tremendous impact on the City of Charleston, which has one of the richest Jewish heritages in America with one of the largest Jewish populations of any city in the United States. Among his numerous achievements are: the annual Chanukah in the Square celebration, which began in 2007 and continues each year on the 1<sup>st</sup> evening of Chanukah, the 2016 opening of ‘Marty’s Place,’ a kosher, vegan and vegetarian dining facility on the College’s meal plan, located in the expanded portion of the Jewish Studies Center, and, most recently, the 2018 founding of the Perlmutter Fellows Program, which is designed to attract incoming students in Jewish communal engagement; and

**WHEREAS,** MARTIN PERLMUTTER possesses a true sense of service, passion and energy that has enriched the experiences of those fortunate enough to know and work with him. I am honored to recognize and thank him for his tremendous contributions to the College of Charleston, to the Jewish Community and to the City of Charleston and its citizens.

**NOW THEREFORE, I,** John J. Tecklenburg, Mayor of Charleston, South Carolina, do hereby proclaim Tuesday, December 3, 2019:

**PROFESSOR MARTIN PERLMUTTER DAY**

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 3<sup>rd</sup> day of December in the year of 2019.



\_\_\_\_\_  
John J. Tecklenburg, Mayor

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to Section 6 of Ordinance No. 1996-18, the City Council of the City of Charleston, South Carolina, at its regular meeting on Tuesday, December 3, 2019, at 5:00 p.m. in Council Chambers at 80 Broad Street, in the City of Charleston, South Carolina, will conduct a public hearing for the purpose of receiving comments on how the proceeds of the funds generated by the one percent Municipal Accommodations fee imposed to meet the cost of capital improvements which are specifically beneficial to the tourism industry should be applied to defray such costs during the fiscal year 2020. It is proposed that such funds in the amount of \$3,800,000 be applied to defray costs of tourism-related City facility projects, repairs/improvements and restorations.

A public hearing will also be held, pursuant to Section 6 of Ordinance No. 1996-56, for the purpose of receiving comments on how the proceeds of the funds generated by the one percent Municipal Accommodations Fee imposed to meet the cost of operational expenses specifically beneficial to the tourism industry should be applied during fiscal year 2020. It is proposed that such funds calculated at an estimated \$3,800,000 and additional funds from Municipal Accommodations Tax Fund Balance at an estimated amount of \$294,000 shall be used to defray tourism-related operational costs including the salaries of police officers, parking enforcement officers, and other personnel required by the tourism industry.

At the time and place fixed for said public hearing, all persons who appear will be given an opportunity to express their views.

Vanessa Turner-Maybank  
Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL interpretation, or other accommodation please contact Janet Schumacher (843) 724-3730 or mail to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three days prior to the meeting.



Ratification  
Number \_\_\_\_\_

**AN ORDINANCE**

PROVIDING FOR THE DISTRIBUTION OF FUNDS FOR FISCAL YEAR 2020 GENERATED BY THE MUNICIPAL ACCOMMODATIONS FEE AS REQUIRED BY ORDINANCE NO. 1996-18.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON:

SECTION 1. Findings

It is hereby found and declared by City Council of the City of Charleston ("City Council"), the governing body of the City of Charleston (the "City"):

1. By Ordinance adopted February 27, 1996, bearing ratification number 1996-18, City Council established a Municipal Accommodations Fee in an amount equal to one percent, the proceeds of which as provided by Section 6 Ordinance No. 1996-18, are to be "expended only for the purpose of defraying the cost of capital improvement beneficial to the tourism industry..."

2. Section 6 further provides that the costs to be funded in part by this fee are to be established by ordinance adopted by City Council after a public hearing.

3. The Accommodations Fee will be collected during the entire term of the fiscal year 2020, during which certain expenses will be incurred relating to capital improvements beneficial to the tourism industry.

4. City Council is now minded to establish by this Ordinance the specific capital costs to be funded by the Accommodations Fee in fiscal year 2019 as provided by Section 6 of Ordinance No. 1996-18. The public hearing required to be held was advertised in the Post and Courier on November 17, 2019 and the hearing conducted on December 3, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON, AS FOLLOWS:

1. A portion of the funds generated by the one percent Municipal Accommodations Fee during fiscal year 2020 to meet the cost of capital improvements beneficial to the tourism industry will be applied to defray the following costs:

Energy Performance Contract (transfer to Energy Performance Fund)	309,379
Low Battery Refurbishment	3,166,000
Market Street Streetscape	390,621
Collection fees (funded by current and prior years interest income)	19,000
Total	\$ 3,885,000

The funds to be spent in 2020 include \$3,800,000 of estimated 2020 revenue and \$85,000 of estimated interest income.

SECTION 2. This Ordinance shall become effective on January 1, 2020.

Ratified in City Council this 17<sup>th</sup> day of December, In the Year of our Lord 2019, and in the 244<sup>th</sup> Year of the Independence of the United States of America.

\_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST:

\_\_\_\_\_  
Vanessa Turner-Maybank, Clerk of Council



**AN ORDINANCE**

PROVIDING FOR THE DISTRIBUTION OF FUNDS FOR FISCAL YEAR 2020 GENERATED BY THE MUNICIPAL ACCOMMODATIONS FEE AS REQUIRED BY ORDINANCE NO. 1996-56.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON:

SECTION 1. Findings

It is hereby found and declared by City Council of the City of Charleston ("City Council"), the governing body of the City of Charleston (the "City"):

1. By Ordinance adopted March 12, 1996, bearing ratification number 1996-56, City Council established a Municipal Accommodations Fee in an amount equal to one percent, the proceeds of which as provided by Section 8 Ordinance No. 1996-56, are to be "expended only for the purpose of defraying the cost of operational expenses beneficial to the tourism industry..."

2. Section 8 further provides that the costs to be funded in part by this fee are to be established by ordinance adopted by City Council after a public hearing.

3. The Accommodations Fee will be collected during the entire term of the fiscal year 2020. In adopting Ordinance 1996-56, City Council took the further action of reducing the millage rate set forth in the Budget Ordinance by 2 mills. Such reduction was based on recognition of the fact that funds generated by the fee established by Ordinance No. 1996-56 could be applied to tourism-related operational expenses which, in the absence of the fee, would have to be paid by the taxpayers.

4. City Council is now minded to establish by this Ordinance the specific nature of the operational costs to be funded during fiscal year 2020 by the Accommodations Fee as provided by Section 8 of Ordinance No. 1996-56. It is specifically found that such costs provide a special benefit to the tourism industry. The public hearing required to be held was advertised in the Post and Courier on November 17, 2019, and the hearing conducted on December 3, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON, AS FOLLOWS:

1. Funds generated by the one percent Municipal Accommodations Fee imposed to meet the cost of operational expenses beneficial to the tourism industry will be applied during the fiscal year 2020 to defray tourism-related operational costs including the salaries of police officers, parking enforcement personnel and other tourism related operating expenses in the amount of \$4,169,000, consisting of \$3,800,000 in estimated 2020 revenue, \$75,000 in interest income, and \$294,000 in Fund Balance.

SECTION 2. This Ordinance shall become effective on January 1, 2020.

Ratified in City Council this 17<sup>th</sup> day of December, In the Year of our Lord 2019, and in the 244<sup>th</sup> Year of the Independence of the United States of America.

\_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST:

\_\_\_\_\_  
Vanessa Turner-Maybank, Clerk of Council

**NOTICE OF PUBLIC HEARING  
CITY OF CHARLESTON, SC  
2020 BUDGET**

NOTICE IS HEREBY GIVEN that the City Council of the City of Charleston, South Carolina, at its regular meeting on December 3, 2019, beginning at 5:00 p.m. in Council Chambers at 80 Broad St., in the City of Charleston, South Carolina, will conduct a public hearing on the City's 2020 budget and give first reading to an ordinance to adopt the budget. The total projected revenues and operating expenditures for the present and next fiscal years are as follows:

**GENERAL FUND AND  
ENTERPRISE FUNDS**

	<u>2019 BUDGET</u>	<u>2020 BUDGET</u>
<b>Revenues and other Financing Sources</b>	\$224,438,757	\$237,951,128
<b>Expenditures</b>	\$224,438,757	\$237,951,128

The proposed change from the 2019 budget to the 2020 budget is \$13,512,371 or a 6.02% increase. The current fiscal year millage rate for general operations is 79.6 mills. The proposed 2020 millage rate will be 79.6 mills. The total projected property tax revenue for 2020 is estimated to be \$89,856,210.

VANESSA TURNER-MAYBANK  
Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL interpretation, or other accommodation please contact Janet Schumacher at (843) 724-3730 or mail to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three days prior to the meeting.



Ratification  
Number: 2019-\_\_\_\_

### AN ORDINANCE

To make appropriations to meet the liabilities of the City of Charleston for the fiscal year ending December 31, 2020.

Be it ordained by the Mayor and City Council members of Charleston in City Council assembled:

**Section 1.** That the following sums of money be, and are hereby appropriated for the purposes hereinafter mentioned, to-wit:

#### GENERAL GOVERNMENT

Div. #    Div. Name

#### DEPARTMENT OF CLERK OF COUNCIL

100000	City Council		
	Personnel		709,005
	Fringe Benefits		365,242
	Operating		111,143
	Capital		-
	<b>Total</b>		<b>1,185,390</b>

101000	Records Management		
	Personnel		153,648
	Fringe Benefits		63,094
	Operating		17,650
	Capital		-
	<b>Total</b>		<b>234,392</b>

#### EXECUTIVE DEPARTMENT

110000	Municipal Court		
	Personnel		1,259,099
	Fringe Benefits		572,788
	Operating		345,343
	Capital		-
	<b>Total</b>		<b>2,177,230</b>

120000	Mayor's Office		
	Personnel		759,913
	Fringe Benefits		251,715
	Operating		214,100
	Capital		-
	<b>Total</b>		<b>1,225,728</b>

DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS

130000	Budget and Finance Administration		
	Personnel	449,496	
	Fringe Benefits	151,645	
	Operating	23,570	
	Capital	-	
	<b>Total</b>	<b>624,711</b>	
131000	Finance		
	Personnel	1,047,049	
	Fringe Benefits	426,577	
	Operating	174,970	
	Capital	-	
	<b>Total</b>	<b>1,648,596</b>	
132000	Revenue Collections		
	Personnel	594,342	
	Fringe Benefits	256,181	
	Operating	328,100	
	Capital	-	
	<b>Total</b>	<b>1,178,623</b>	
133000	Budget and Management		
	Personnel	463,054	
	Fringe Benefits	172,713	
	Operating	21,750	
	Capital	-	
	<b>Total</b>	<b>657,517</b>	
134000	Procurement		
	Personnel	288,265	
	Fringe Benefits	113,068	
	Operating	116,350	
	Capital	-	
	<b>Total</b>	<b>517,683</b>	
135000	Real Estate Management		
	Personnel	244,841	
	Fringe Benefits	93,904	
	Operating	101,531	
	Capital	-	
	<b>Total</b>	<b>440,276</b>	
136000	Process/Service Improvement		
	Personnel	78,741	
	Fringe Benefits	26,852	
	Operating	207,256	
	Capital	-	
	<b>Total</b>	<b>312,849</b>	
137000	Permit Center		
	Personnel	187,571	
	Fringe Benefits	80,021	
	Operating	21,050	
	Capital	-	
	<b>Total</b>	<b>288,642</b>	



138000	Call Center		
	Personnel		188,394
	Fringe Benefits		80,222
	Operating		7,850
	Capital		-
	<b>Total</b>		<b>276,466</b>

**EXECUTIVE DEPARTMENT**

140000	Internal Auditing		
	Personnel		140,556
	Fringe Benefits		51,348
	Operating		17,180
	Capital		-
	<b>Total</b>		<b>209,084</b>

141000	Corporation Counsel		
	Personnel		1,211,265
	Fringe Benefits		386,028
	Operating		603,615
	Capital		-
	<b>Total</b>		<b>2,200,908</b>

142000	Prosecutor's Office		
	Personnel		277,475
	Fringe Benefits		101,815
	Operating		166,377
	Capital		-
	<b>Total</b>		<b>545,667</b>

**DEPARTMENT OF HUMAN RESOURCES**

150000	Human Resources		
	Personnel		942,896
	Fringe Benefits		366,776
	Operating		361,907
	Capital		-
	<b>Total</b>		<b>1,671,579</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

151000	Safety Management		
	Personnel		224,050
	Fringe Benefits		88,865
	Operating		141,535
	Capital		-
	<b>Total</b>		<b>454,450</b>

**DEPARTMENT OF INFORMATION TECHNOLOGY**

161000	Information Systems		
	Personnel		1,488,278
	Fringe Benefits		567,410
	Operating		3,460,058
	Capital		341,950
	<b>Total</b>		<b>5,857,696</b>

162000	GIS		
	Personnel		370,127
	Fringe Benefits		141,552
	Operating		250,780
	Capital		-
	<b>Total</b>		<b>762,459</b>

163000	Telecommunications		
	Personnel		180,862
	Fringe Benefits		70,390
	Operating		865,252
	Capital		-
	<b>Total</b>		<b>1,116,504</b>

**DEPARTMENT OF PARKS**

170000	Electrical		
	Personnel		614,185
	Fringe Benefits		253,355
	Operating		3,812,558
	Capital		-
	<b>Total</b>		<b>4,680,098</b>

170100	Facilities Maintenance		
	Personnel		762,131
	Fringe Benefits		330,465
	Operating		1,612,837
	Capital		-
	<b>Total</b>		<b>2,705,433</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

171000	City Hall		
	Personnel		-
	Fringe Benefits		-
	Operating		155,565
	Capital		-
	<b>Total</b>		<b>155,565</b>

**DEPARTMENT OF HUMAN RESOURCES**

171100	Mailroom		
	Personnel		32,610
	Fringe Benefits		16,544
	Operating		22,480
	Capital		-
	<b>Total</b>		<b>71,634</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

171300	116 Meeting Street		
	Personnel		-
	Fringe Benefits		-
	Operating		49,007
	Capital		-
	<b>Total</b>		<b>49,007</b>

171310	Gaillard Complex		
	Personnel		-
	Fringe Benefits		-
	Operating		628,746
	Capital		30,300
	<b>Total</b>		<b>659,046</b>

171500	Gallery at Waterfront Park		
	Personnel	-	
	Fringe Benefits	-	
	Operating	66,137	
	Capital	-	
	<b>Total</b>	<b>66,137</b>	
171550	Visitor Center Building		
	Personnel	-	
	Fringe Benefits	-	
	Operating	161,432	
	Capital	-	
	<b>Total</b>	<b>161,432</b>	
171600	Lockwood Municipal Building		
	Personnel	-	
	Fringe Benefits	-	
	Operating	197,988	
	Capital	-	
	<b>Total</b>	<b>197,988</b>	
171700	50 Broad Street		
	Personnel	-	
	Fringe Benefits	-	
	Operating	17,888	
	Capital	-	
	<b>Total</b>	<b>17,888</b>	
<b>NON-DEPARTMENTAL</b>			
180000	Pensions		
	Personnel	-	
	Fringe Benefits	720,913	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>720,913</b>	
181000	Employee Benefits		
	Personnel	-	
	Fringe Benefits	5,092,280	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>5,092,280</b>	
182000	General Insurance		
	Personnel	-	
	Fringe Benefits	-	
	Operating	3,009,751	
	Capital	-	
	<b>Total</b>	<b>3,009,751</b>	
900000	Non-Departmental		
	Personnel	(1,068,213)	
	Fringe Benefits	69,590	
	Operating	2,554,884	
	Capital	-	
	<b>Total</b>	<b>1,556,261</b>	
	<b>Total General Government - General Fund</b>	<b>42,729,883</b>	

**PUBLIC SAFETY**

**POLICE DEPARTMENT**

200000	Police		
	Personnel		32,670,190
	Fringe Benefits		13,442,414
	Operating		5,843,128
	Capital		130,000
	<b>Total</b>		<b>52,085,732</b>
203000	Police Radio Shop		
	Personnel		260,731
	Fringe Benefits		106,394
	Operating		724,486
	Capital		-
	<b>Total</b>		<b>1,091,611</b>
206000	Community Outreach		
	Transfer Out		1,500
	Personnel		-
	Fringe Benefits		-
	Operating		44,960
	Capital		-
	<b>Total</b>		<b>46,460</b>
207000	Victims Assistance		
	Personnel		128,528
	Fringe Benefits		57,071
	Operating		35,750
	Capital		-
	<b>Total</b>		<b>221,349</b>

**FIRE DEPARTMENT**

210000	Fire		
	Personnel		23,226,130
	Fringe Benefits		9,655,687
	Operating		2,820,840
	Capital		212,600
	<b>Total</b>		<b>35,915,257</b>
211000	Fire Department Training		
	Personnel		667,920
	Fringe Benefits		481,212
	Operating		586,458
	Capital		-
	<b>Total</b>		<b>1,735,590</b>
213000	Fire Marshal's Office		
	Personnel		935,308
	Fringe Benefits		390,003
	Operating		77,510
	Capital		-
	<b>Total</b>		<b>1,402,821</b>

**DEPARTMENT OF PUBLIC SERVICE**

220000	Engineering		
	Personnel		503,932
	Fringe Benefits		208,540
	Operating		27,535
	Capital		-
	<b>Total</b>		<b>740,007</b>

221000	Inspections		
	Personnel		1,206,036
	Fringe Benefits		491,032
	Operating		94,967
	Capital		-
	<b>Total</b>		<b>1,792,035</b>

**DEPARTMENT OF LIVABILITY AND TOURISM**

225000	Livability		
	Personnel		973,994
	Fringe Benefits		434,784
	Operating		179,844
	Capital		-
	<b>Total</b>		<b>1,588,622</b>

**DEPARTMENT OF TRAFFIC AND TRANSPORTATION**

230000	Traffic and Transportation		
	Personnel		1,216,747
	Fringe Benefits		518,069
	Operating		1,017,636
	Capital		-
	<b>Total</b>		<b>2,752,452</b>

**DEPARTMENT OF INFORMATION TECHNOLOGY**

235000	Public Safety Information Technology		
	Personnel		-
	Fringe Benefits		-
	Operating		2,220,721
	Capital		100,000
	<b>Total</b>		<b>2,320,721</b>

**EXECUTIVE DEPARTMENT**

237000	Resiliency & Emergency Management		
	Personnel		317,731
	Fringe Benefits		118,066
	Operating		60,986
	Capital		25,000
	<b>Total</b>		<b>521,783</b>

**Total Public Safety - General Fund** **102,214,440**

**PUBLIC SERVICE**

**DEPARTMENT OF PUBLIC SERVICE**

300000	Public Service Administration		
	Personnel	183,753	
	Fringe Benefits	61,820	
	Operating	50,270	
	Capital	-	
	<b>Total</b>	<b>295,843</b>	
311000	Streets and Sidewalks Administration		
	Personnel	131,039	
	Fringe Benefits	57,680	
	Operating	842,663	
	Capital	-	
	<b>Total</b>	<b>1,031,382</b>	
312000	Streets and Sidewalks		
	Personnel	967,308	
	Fringe Benefits	476,359	
	Operating	243,800	
	Capital	-	
	<b>Total</b>	<b>1,687,467</b>	
321000	Environmental Services Administration		
	Personnel	380,172	
	Fringe Benefits	152,623	
	Operating	257,239	
	Capital	-	
	<b>Total</b>	<b>790,034</b>	
322000	Garbage Collection		
	Personnel	1,450,890	
	Fringe Benefits	645,411	
	Operating	2,148,440	
	Capital	-	
	<b>Total</b>	<b>4,244,741</b>	
323000	Trash Collection		
	Personnel	1,288,180	
	Fringe Benefits	580,054	
	Operating	40,350	
	Capital	-	
	<b>Total</b>	<b>1,908,584</b>	
324000	Street Sweeping		
	Personnel	609,833	
	Fringe Benefits	329,235	
	Operating	250,619	
	Capital	-	
	<b>Total</b>	<b>1,189,687</b>	
331000	Fleet Management		
	Personnel	1,153,046	
	Fringe Benefits	495,464	
	Operating	2,894,647	
	Capital	26,300	
	<b>Total</b>	<b>4,569,457</b>	
	<b>Total Public Service - General Fund</b>	<b>15,717,195</b>	

**URBAN AND COMMUNITY DEVELOPMENT**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

410000	Housing and Community Development	
	Personnel	638,949
	Fringe Benefits	238,764
	Operating	51,550
	Capital	-
	<b>Total</b>	<b>929,263</b>

**DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY**

415000	Planning, Preservation and Sustainability Admin.	
	Personnel	288,803
	Fringe Benefits	104,561
	Operating	217,715
	Capital	-
	<b>Total</b>	<b>611,079</b>
419000	Zoning Division	
	Personnel	495,372
	Fringe Benefits	196,400
	Operating	31,335
	Capital	-
	<b>Total</b>	<b>723,107</b>
420000	Preservation Division	
	Personnel	416,223
	Fringe Benefits	152,724
	Operating	19,897
	Capital	-
	<b>Total</b>	<b>588,844</b>
421000	Design Division	
	Personnel	150,858
	Fringe Benefits	51,778
	Operating	36,131
	Capital	-
	<b>Total</b>	<b>238,767</b>
430000	Planning and Sustainability	
	Personnel	310,910
	Fringe Benefits	118,558
	Operating	259,280
	Capital	-
	<b>Total</b>	<b>688,748</b>
	<b>Total Urban and Community Development - General Fund</b>	<b>3,779,808</b>

**CULTURE AND RECREATION**

**EXECUTIVE DEPARTMENT**

500000	Cultural Affairs	
	Personnel	432,667
	Fringe Benefits	159,072
	Operating	32,770
	Capital	-
	<b>Total</b>	<b>624,509</b>
500200	West Ashley Farmers Market	
	Personnel	21,000
	Fringe Benefits	2,195
	Operating	35,600
	Capital	-
	<b>Total</b>	<b>58,795</b>

500500	Cannon Street Arts Center		
	Personnel		-
	Fringe Benefits		-
	Operating		326,480
	Capital		-
	<b>Total</b>		<b>326,480</b>

**DEPARTMENT OF RECREATION**

510000	Recreation Administration		
	Personnel		238,011
	Fringe Benefits		92,250
	Operating		109,334
	Capital		-
	<b>Total</b>		<b>439,595</b>

511000	Recreation Athletics		
	Personnel		618,856
	Fringe Benefits		231,698
	Operating		-
	Capital		-
	<b>Total</b>		<b>850,554</b>

511200	Youth Sports		
	Personnel		-
	Fringe Benefits		-
	Operating		488,505
	Capital		-
	<b>Total</b>		<b>488,505</b>

511201	FCC Community Outreach		
	Personnel		-
	Fringe Benefits		-
	Operating		10,000
	Capital		-
	<b>Total</b>		<b>10,000</b>

511300	Adult Sports		
	Personnel		-
	Fringe Benefits		-
	Operating		51,860
	Capital		-
	<b>Total</b>		<b>51,860</b>

513000	Recreation Programs		
	Personnel		775,861
	Fringe Benefits		239,748
	Operating		197,319
	Capital		-
	<b>Total</b>		<b>1,212,928</b>

513100	Environmental Programs		
	Personnel		-
	Fringe Benefits		-
	Operating		7,175
	Capital		-
	<b>Total</b>		<b>7,175</b>



513300	Playground Programs		
	Personnel	-	
	Fringe Benefits	-	
	Operating	44,245	
	Capital	-	
	<b>Total</b>	<b>44,245</b>	
513400	Community Programs		
	Personnel	-	
	Fringe Benefits	-	
	Operating	30,330	
	Capital	-	
	<b>Total</b>	<b>30,330</b>	
515000	Recreation Facilities		
	Personnel	109,476	
	Fringe Benefits	35,000	
	Operating	2,185	
	Capital	-	
	<b>Total</b>	<b>146,661</b>	
515010	James Island Recreation Center		
	Personnel	272,576	
	Fringe Benefits	94,284	
	Operating	189,261	
	Capital	-	
	<b>Total</b>	<b>556,121</b>	
515020	St. Julian Devine		
	Personnel	154,874	
	Fringe Benefits	50,519	
	Operating	40,977	
	Capital	-	
	<b>Total</b>	<b>246,370</b>	
515025	Bees Landing Recreation Center		
	Personnel	379,565	
	Fringe Benefits	126,495	
	Operating	174,754	
	Capital	-	
	<b>Total</b>	<b>680,814</b>	
515030	Arthur Christopher Community Center		
	Personnel	224,572	
	Fringe Benefits	84,551	
	Operating	192,537	
	Capital	-	
	<b>Total</b>	<b>501,660</b>	
515035	Shaw Community Center		
	Personnel	123,225	
	Fringe Benefits	44,571	
	Operating	17,760	
	Capital	-	
	<b>Total</b>	<b>185,556</b>	

515040	West Ashley Park		
	Personnel	-	
	Fringe Benefits	-	
	Operating	27,143	
	Capital	-	
	<b>Total</b>	<b>27,143</b>	
515045	Daniel Island Programs		
	Personnel	185,747	
	Fringe Benefits	98,776	
	Operating	223,496	
	Capital	-	
	<b>Total</b>	<b>508,019</b>	
516000	Aquatics		
	Personnel	1,159,947	
	Fringe Benefits	404,155	
	Operating	262,353	
	Capital	-	
	<b>Total</b>	<b>1,826,455</b>	
516010	WL Stephens Pool		
	Personnel	-	
	Fringe Benefits	-	
	Operating	1,000	
	Capital	-	
	<b>Total</b>	<b>1,000</b>	
516020	MLK Pool		
	Personnel	-	
	Fringe Benefits	-	
	Operating	1,000	
	Capital	-	
	<b>Total</b>	<b>1,000</b>	
516030	Herbert Hasell Pool		
	Personnel	-	
	Fringe Benefits	-	
	Operating	200	
	Capital	-	
	<b>Total</b>	<b>200</b>	
516035	James Island Pool		
	Personnel	-	
	Fringe Benefits	-	
	Operating	750	
	Capital	-	
	<b>Total</b>	<b>750</b>	
516040	Swim Team		
	Personnel	-	
	Fringe Benefits	-	
	Operating	29,760	
	Capital	-	
	<b>Total</b>	<b>29,760</b>	

517000	Tennis		
	Personnel	479,414	
	Fringe Benefits	152,313	
	Operating	72,000	
	Capital	-	
	<b>Total</b>	<b>703,727</b>	
517010	Charleston Tennis Center		
	Personnel	-	
	Fringe Benefits	-	
	Operating	206,998	
	Capital	-	
	<b>Total</b>	<b>206,998</b>	
517020	Maybank Tennis Center		
	Personnel	-	
	Fringe Benefits	-	
	Operating	60,430	
	Capital	-	
	<b>Total</b>	<b>60,430</b>	
517030	Inner City Youth Tennis		
	Personnel	-	
	Fringe Benefits	-	
	Operating	3,675	
	Capital	-	
	<b>Total</b>	<b>3,675</b>	
518000	Gymnastics		
	Personnel	221,401	
	Fringe Benefits	79,109	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>300,510</b>	
518010	Gymnastics Training Center		
	Personnel	-	
	Fringe Benefits	-	
	Operating	21,245	
	Capital	-	
	<b>Total</b>	<b>21,245</b>	
<b>DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS</b>			
518550	Maritime Center		
	Personnel	213,769	
	Fringe Benefits	112,287	
	Operating	271,375	
	Capital	-	
	<b>Total</b>	<b>597,431</b>	
<b>DEPARTMENT OF PARKS</b>			
520000	Capital Projects		
	Personnel	678,198	
	Fringe Benefits	233,504	
	Operating	576,021	
	Capital	-	
	<b>Total</b>	<b>1,487,723</b>	
521000	Parks Administration		
	Personnel	877,445	
	Fringe Benefits	330,537	
	Operating	100,814	
	Capital	-	
	<b>Total</b>	<b>1,308,796</b>	

522000	Grounds Maintenance	
	Personnel	3,257,651
	Fringe Benefits	1,511,040
	Operating	1,936,509
	Capital	41,000
	<b>Total</b>	<b>6,746,200</b>

523000	Construction	
	Personnel	644,274
	Fringe Benefits	284,344
	Operating	247,900
	Capital	-
	<b>Total</b>	<b>1,176,518</b>

526000	Parks Maintenance Projects	
	Personnel	-
	Fringe Benefits	-
	Operating	96,497
	Capital	-
	<b>Total</b>	<b>96,497</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

531000	Dock Street Theatre	
	Personnel	327,767
	Fringe Benefits	139,919
	Operating	181,585
	Capital	-
	<b>Total</b>	<b>649,271</b>

**Total Culture and Recreation - General Fund 22,215,506**

**COMMUNITY PROMOTIONS**

**DEPARTMENT OF LIVABILITY AND TOURISM**

600000	Tourism	
	Personnel	344,789
	Fringe Benefits	143,407
	Operating	246,200
	Capital	-
	<b>Total</b>	<b>734,396</b>

**NON-DEPARTMENTAL**

620000	Community Promotions	
	Personnel	-
	Fringe Benefits	-
	Operating	124,100
	Capital	-
	<b>Total</b>	<b>124,100</b>

**Total Community Promotions - General Fund 858,496**

**HEALTH AND WELFARE**

**EXECUTIVE DEPARTMENT**

700000	Public Information	
	Personnel	203,253
	Fringe Benefits	75,183
	Operating	16,900
	Capital	-
	<b>Total</b>	<b>295,336</b>

701000	Mayor's Office for Children, Youth, and Families	
	Personnel	164,258
	Fringe Benefits	65,023
	Operating	25,750
	Capital	-
	<b>Total</b>	<b>255,031</b>

**NON-DEPARTMENTAL**

710000	Assistance Programs	
	Personnel	-
	Fringe Benefits	-
	Operating	234,224
	Capital	-
	<b>Total</b>	<b>234,224</b>

**Total Health and Welfare - General Fund 784,591**

**BUSINESS DEVELOPMENT AND ASSISTANCE**

**EXECUTIVE DEPARTMENT**

810000	Technology Business Development	
	Personnel	-
	Fringe Benefits	-
	Operating	448,940
	Capital	-
	<b>Total</b>	<b>448,940</b>

**DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY**

820000	Business and Neighborhood Services	
	Personnel	342,386
	Fringe Benefits	134,826
	Operating	63,750
	Capital	-
	<b>Total</b>	<b>540,962</b>

**EXECUTIVE DEPARTMENT**

153000	Youth Programs	
	Personnel	124,296
	Fringe Benefits	25,814
	Operating	14,350
	Capital	-
	<b>Total</b>	<b>164,460</b>

**Total Business Development and Assist. - General Fund 1,154,362**

**OTHER**

920010	Capital Leases	
	Personnel	-
	Fringe Benefits	-
	Operating	8,195,232
	Capital	-
	<b>Total</b>	<b>8,195,232</b>

920131	Bond, GO 2014 Ref 4.375M GF		
	Personnel	-	
	Fringe Benefits	-	
	Operating	818,100	
	Capital	-	
	<b>Total</b>	<b>818,100</b>	
920150	Bond, GO 2010 Series B 17.1M		
	Personnel	-	
	Fringe Benefits	-	
	Operating	2,250,250	
	Capital	-	
	<b>Total</b>	<b>2,250,250</b>	
920160	Bond, GO 2014 22M		
	Personnel	-	
	Fringe Benefits	-	
	Operating	1,613,525	
	Capital	-	
	<b>Total</b>	<b>1,613,525</b>	
920170	Bond, 2018 15m GO-Recreation		
	Personnel	-	
	Fringe Benefits	-	
	Operating	548,125	
	Capital	-	
	<b>Total</b>	<b>548,125</b>	
920180	2019/20 Housing Bond - \$20M		
	Personnel	-	
	Fringe Benefits	-	
	Operating	1,400,000	
	Capital	-	
	<b>Total</b>	<b>1,400,000</b>	
	<b>Total Other - General Fund</b>	<b>14,825,232</b>	

**TRANSFERS OUT**

932000	General Fund Transfers Out		
	Transfers Out	1,784,329	
	Personnel	-	
	Fringe Benefits	-	
	Operating	-	
	Capital	-	
	<b>Total</b>	<b>1,784,329</b>	
	<b>Total Transfers Out - General Fund</b>	<b>1,784,329</b>	
<b>TOTAL GENERAL FUND APPROPRIATION:</b>		<b>206,063,842</b>	

**ENTERPRISE FUNDS**

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

020010	Old Slave Mart Museum		
	Personnel		98,474
	Fringe Benefits		43,973
	Operating		65,525
	Capital		6,200
	<b>Total</b>		<b>214,172</b>
021010	City Market		
	Personnel		-
	Fringe Benefits		-
	Operating		2,284,242
	Capital		60,000
	<b>Total</b>		<b>2,344,242</b>
021920	Bond, Revenue 2010 2.1M CM		
	Personnel		-
	Fringe Benefits		-
	Operating		185,255
	Capital		-
	<b>Total</b>		<b>185,255</b>
021930	Bond, Revenue 2010A 3.4M CM		
	Personnel		-
	Fringe Benefits		-
	Operating		317,635
	Capital		-
	<b>Total</b>		<b>317,635</b>

**DEPARTMENT OF TRAFFIC AND TRANSPORTATION**

022005	Parking Management Services		
	Personnel		1,347,265
	Fringe Benefits		712,527
	Operating		162,471
	Capital		26,000
	<b>Total</b>		<b>2,248,263</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

022010	Parking Tickets Revenue Collections		
	Personnel		235,028
	Fringe Benefits		127,947
	Operating		293,000
	Capital		-
	<b>Total</b>		<b>655,975</b>
022016	Parking Facilities Administration-ABM		
	Transfer Out		515,484
	Personnel		-
	Fringe Benefits		-
	Operating		12,775,862
	Capital		1,778,000
	<b>Total</b>		<b>15,069,346</b>

022035	Parking Lot - B.A.M.		
	Personnel		-
	Fringe Benefits		-
	Operating		3,500
	Capital		-
	<b>Total</b>		<b>3,500</b>

**DEPARTMENT OF TRAFFIC AND TRANSPORTATION**

022045	Parking Meters		
	Personnel		220,973
	Fringe Benefits		93,403
	Operating		658,165
	Capital		-
	<b>Total</b>		<b>972,541</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

022075	Parking Garage - Cumberland Street		
	Personnel		-
	Fringe Benefits		-
	Operating		396,000
	Capital		-
	<b>Total</b>		<b>396,000</b>

022126	Morrison Drive Garage		
	Personnel		-
	Fringe Benefits		-
	Operating		250,000
	Capital		-
	<b>Total</b>		<b>250,000</b>

**NON-DEPARTMENTAL**

022943	Bond, GO 2016 \$12.715M Ref		
	Personnel		-
	Fringe Benefits		-
	Operating		2,210,964
	Capital		-
	<b>Total</b>		<b>2,210,964</b>

022956	Bond, IPRB 26.27M 2015-A PK		
	Personnel		-
	Fringe Benefits		-
	Operating		539,620
	Capital		-
	<b>Total</b>		<b>539,620</b>



022958	Bond, IPRB 2xM 2017-B PK		
	Personnel		-
	Fringe Benefits		-
	Operating		577,430
	Capital		-
	<b>Total</b>		<b>577,430</b>

022959	Bond, IPRB 14.855M 2017-A PK		
	Personnel		-
	Fringe Benefits		-
	Operating		1,342,750
	Capital		-
	<b>Total</b>		<b>1,342,750</b>

**DEPARTMENT OF PARKS**

023010	JPR, Jr. Ballpark		
	Transfer Out		132,383
	Personnel		45,452
	Fringe Benefits		20,931
	Operating		1,829,082
	Capital		-
	<b>Total</b>		<b>2,027,848</b>

**DEPARTMENT OF BUDGET, FINANCE AND REVENUE COLLECTIONS**

024010	Angel Oak		
	Personnel		121,048
	Fringe Benefits		48,200
	Operating		201,017
	Capital		-
	<b>Total</b>		<b>370,265</b>

**DEPARTMENT OF RECREATION**

028010	Municipal Golf Course		
	Transfer Out		1,473
	Personnel		865,005
	Fringe Benefits		363,283
	Operating		781,719
	Capital		12,000
	<b>Total</b>		<b>2,023,480</b>

028010	Municipal Golf Course		
	Personnel		-
	Fringe Benefits		-
	Operating		-
	Capital		138,000
	<b>Total</b>		<b>138,000</b>

**TOTAL ENTERPRISE FUND APPROPRIATION: 31,887,286**

**TOTAL APPROPRIATION: 237,951,128**

**Section 2.** The above mentioned appropriations shall be expended according to Sections 2-269 and 2-270 of the Code of the City of Charleston and schedules approved by the Committee on Ways and Means. When it becomes necessary to make a transfer within any department, miscellaneous appropriation above or operating transfers between funds, such transfers shall be made only upon the approval of the Chief Financial Officer or Deputy Chief Financial Officer provided, however, that they shall refer transfers in excess of \$40,000 to the Ways and Means Committee for authorization. Encumbrances are considered reappropriated in the ensuing year and are inclusive in the overall budget for the ensuing year.

**Section 3.** The above appropriations are on a basis of twelve (12) months, and are effective as of January 1, 2020, but said appropriations for salaries and operations are subject to cancellation or amendment by City Council as any emergency may make necessary.

**Section 4.** The Mayor is hereby empowered in any emergency and for increased efficiency in administration of government or in the event of any vacancies in any department or division, to transfer any individual or individuals on the payroll from one department or division to another, and any funds from one department, division or administrative function to another.

**Section 5.** The Chief Financial Officer is hereby authorized to refer for final approval any proposed expenditures for salaries or supplies submitted by any department, board, or commission to the Mayor or the Committee on Ways and Means if, in his/her judgment such referral is advisable.

**Section 6.** That the Emergency Fund shall be allocated by the Mayor, the Chief Financial Officer or the Deputy Chief Financial Officer for improvements, adjustments and emergencies provided, however, that allocations in excess of \$40,000 shall be referred to the Committee on Ways and Means for authorization.

**Section 7.** That if any section, item or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining sections, items and portions hereof, which shall remain in full force and effect.

**Section 8.** All Ordinances and parts of Ordinances in conflict with this Ordinance shall be, and the same hereby are repealed only so far as they are in conflict herewith.

**Section 9.** This Ordinance shall take effect as of January 1, 2020.

Ratified in City Council this 17<sup>th</sup> day of December, in the Year of Our Lord, 2019, and in the 244<sup>th</sup> Year of the Independence of the United States of America.

**ATTEST:**

---

John J. Tecklenburg, Mayor

---

Vanessa Turner-Maybank, Clerk of Council

E4.)



Ratification  
Number: 2019- \_\_\_\_

**AN ORDINANCE**

To raise funds for the fiscal year ending December 31, 2020 and to meet the appropriation of **\$237,951,128** authorized by ordinance 2019-\_\_\_\_ ratified 17th day of December, 2019.

Be it ordained by the Mayor and Council members of Charleston, in the City Council assembled.

**Section 1.** The revenues of the City government applicable to the financing of the appropriations have been estimated and fixed as shown in the following items:

**GENERAL FUND:**

Item 1.	Property Taxes	\$ 111,494,210
	Less Local Option Sales Tax Credit	\$ (21,638,000)
	<b>Total</b>	<b>\$ 89,856,210</b>
Item 2.	Licenses	\$ 37,231,900
Item 3.	Sales and User Charges	\$ 584,400
Item 4.	Permits and Fees	\$ 7,608,546
Item 5.	Rents and Concessions	\$ 2,132,122
Item 6.	Fines and Forfeitures	\$ 450,000
Item 7.	Penalties and Costs	\$ 764,000
Item 8.	State of South Carolina	\$ 25,198,865
Item 9.	Recreational Facilities	\$ 1,670,960
Item 10.	Franchise Tax	\$ 13,947,000
Item 11.	Commissioners of Public Works	\$ 1,095,000
Item 12.	Miscellaneous Income	\$ 1,758,921
Item 13.	Interest Income	\$ 1,500,000
Item 14.	Federal Programs	\$ 164,758
	<b>Total General Fund</b>	<b>\$ 183,962,682</b>
	Total General Fund - Transfers In	\$ 9,880,624
	Total General Fund - Other Financing Sources	\$ 1,175,023
	<b>Total General Fund Revenues and Financing Sources</b>	<b>\$ 195,018,329</b>

**ENTERPRISE FUNDS:**

Item 15.	Angel Oak	\$ 400,000
Item 16.	City Market	\$ 2,996,632
Item 17.	Joseph P. Riley, Jr. Ball Park	\$ 1,386,980
Item 18.	Municipal Golf Course	\$ 1,333,281
Item 19.	Parking Facilities	\$ 36,340,906
Item 20.	Old Slave Mart Museum	\$ 475,000
	<b>Total Enterprise Funds Revenue</b>	<b>\$ 42,932,799</b>

**Total Revenues & Other Financing Sources** \$ **237,951,128**

**Total To Be Appropriated** \$ **237,951,128**

**Section 2.** That for the purpose of providing the sum of **\$89,856,210** for the General Fund operations set forth in Item 1 above, a tax of 79.6 mills hereby is levied upon every dollar of value of all real and personal property in the City of Charleston to be appropriated for several purposes indicated in the annual Appropriations Ordinance and for the purpose of providing funds for drainage improvements hereby is levied a tax of four (4) mills upon every dollar of value of all real and personal property in the City of Charleston, and for the purpose of providing funds for public safety capital expenditures hereby is levied a tax of three (3) mill upon every dollar of value of all real and personal property in the City of Charleston.

**Section 3.** That for the purpose of deriving the revenue estimated in Item 10 above, there is levied a fee on all amounts received by any person, firm, or corporation from the sale of electric energy used within the corporate limits of the City of Charleston, except electric energy paid for by the City Council of Charleston, and also a fee on all amounts received by any person, firm or corporation from the sale of natural or manufactured gas used within the corporate limits of the City of Charleston, except gas paid for by the City Council of Charleston, to be paid as other fees herein of the City of Charleston are paid, and to be calculated on the amounts received from the first of January of the previous year through the thirty-first of December of the previous year, which fees shall be in addition to all other taxes and assessments. The total fee shall be five percent (5%) of the retail electric and gas revenues.

**Section 4.** All taxes hereby levied shall be paid on or before January 15, 2021.

**Section 5.** That for non-payment of taxes on real estate and other personal property (not motor vehicles) hereby levied in the manner and form hereinabove set out, penalties and costs shall be added and imposed as follows:

January 15, 2021 through February 1, 2021, three percent (3%) plus cost.

February 2, 2021 through March 15, 2021, in addition to the three percent (3%) herein specified, an additional seven percent (7%) plus cost.

After March 16, 2021, in addition to the three percent (3%) and seven (7%) herein specified, an additional five percent (5%) until paid, plus all costs of levy, collections, seizure and sale.

Provided, however, that this shall in no way be construed to extend the time for payments of taxes as hereinabove set forth, and the Officers of the City of Charleston, the County of Charleston or Berkeley County are authorized to proceed with the collection and enforcement by levy, sale or otherwise at any time subsequent to the said first day of February, 2021.

**Section 6.** The Sheriff of Charleston County or Berkeley County shall determine the date to sell all real property upon which taxes levied under this ordinance are unpaid; provided, however, nothing herein contained shall prevent the sale upon a subsequent date of real property not sold on the above mentioned date because of error, mistake, oversight or other cause.

**Section 7.** That the taxes herein levied shall constitute a specific lien on the property taxed paramount to all other liens, except those for State and County taxes, from the time the liability for said taxes shall have accrued for the full term of ten (10) years after the said taxes shall have been due and payable.

**Section 8.** That all funds collected under the authority of this ordinance, except as herein directed, are to be held, used and expended for expenses incurred and to be incurred for the fiscal year 2020 and all such expenses, including those represented by the issuance of tax anticipation notes shall be first paid and shall constitute a first lien upon all such funds, and also upon all to the above levy so far as may be necessary to meet the payment of the said tax anticipation notes for expenses incurred in the fiscal year 2020.

**Section 9.** That all the above items are to be paid as herein set forth so far as may be necessary and subject to the provisions of Section 8 of this ordinance, but any balances in any of the above items not used or specifically set aside for use, shall revert to the General Fund.

**Section 10.** That if any sections, item or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining sections, items and portion hereof, which shall remain in full force and effect.

**Section 11.** This ordinance shall take effect January 1, 2020.

Ratified in City Council this 17<sup>th</sup> day of December, in the Year of Our Lord, 2019, and in the 244<sup>th</sup> Year of the Independence of the United States of America.

**ATTEST:**

---

John J. Tecklenburg, Mayor

---

Vanessa Turner-Maybank, Clerk of Council

K1(a)

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF CHARLESTON \_ )      TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that ASHTON CHARLESTON RESIDENTIAL, LLC ("Grantor") in the state aforesaid, for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and assigns, forever, the following described property which is granted, bargained, sold and released for the use of the public forever:

All of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston State of South Carolina, identified as (list street names)

**Weeping Way, Thin Pine Drive, Striped Lane, Rubrum Road**

as shown and designated on a plat entitled

FINAL PLAT SHOWING THE ABANDONMENT OF THE PROPERTY LINES BETWEEN TMS NO. 312-00-00-065 (18.971 ACRES) AND TMS NO. 312-00-00-066 (4.998 ACRES) TO FORM RIVERVIEW ESTATES (23.969 ACRES) CONTAINING LOTS 1 THROUGH 48 (11.097 ACRES), RIGHT-OF-WAYS (3.047 ACRES), HOMEOWNERS ASSOCIATION AREAS (9.825 ACRES) AND SHOWING TMS NO. 312-02-00-085 (21.616 ACRES) PREPARED FOR ASHTON CHARLESTON RESIDENTIAL, LLC

prepared by HLA, Inc., dated February 15, 2019, and recorded on \_\_\_\_\_

in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_ in the ROD Office for Charleston County. Said property butting and bounding, measuring and containing, and having such courses and distances as are shown on said plat. Reference being had to the aforesaid plat for a full and complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the MG Lowcountry Acreage, LLC dated February 27, 2018 and recorded February 28, 2018 in Book 0701 at Page 589 in the ROD Office for Charleston County, South Carolina

AND being a portion of the property conveyed to Grantor herein by deed of LMC, LLC and Cynthia F. Costa dated February 27, 2018 and recorded February 28, 2018 in Book 0701 at Page 584 in the ROD Office for Charleston County, South Carolina.

Grantee's Mailing Address:                                City of Charleston  
    Department of Public Service  
    Engineering Division  
    2 George Street  
    Suite 2100  
    Charleston, South Carolina 29401

Portion of TMS No.    312-00-00-065 & -066

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 17 day of July 2019.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

[Signature]  
Witness Number One

Rickard L. L...  
Printed Name

[Signature]  
Witness Number Two

Rob Sims  
Printed Name

Grantor  
[Signature]

JOSEPH HAMPL  
Printed Name Director of Finance

\*\*\*\*\*

STATE OF South Carolina )

COUNTY OF Charleston )

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by Joseph Hampl, the Director of Finance of Ashton Charleston, a LLC, on behalf of the Grantor on the 17 day of July, 2019.

Signature of Notary: [Signature]

Print Name of Notary: Mia A. Brondsema

Notary Public for South Carolina

My Commission Expires: 9-24-22

SEAL OF NOTARY



STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON ) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by ASHTON CHARLESTON RESIDENTIAL, LLC  
to THE CITY OF CHARLESTON on \_\_\_\_\_.
3. Check one of the following: The deed is
  - (A) \_\_\_\_\_ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - (B) \_\_\_\_\_ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
  - (C)  exempt from the deed recording fee because (See Information section of affidavit): #2 (explanation required)  
(If exempt, please skip items 4-7. and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes \_\_\_\_\_ or No \_\_\_\_\_

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
  - (A) \_\_\_\_\_ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \_\_\_\_\_
  - (B) \_\_\_\_\_ The fee is computed on the fair market value of the realty which is \_\_\_\_\_.
  - (C) \_\_\_\_\_ The fee is computed on the fair market value of the realty as established for property tax purposes which is \_\_\_\_\_.
5. Check YES \_\_\_ or NO \_\_\_ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is \_\_\_\_\_.
6. The deed recording fee is computed as follows:
  - (A) Place the amount listed in item 4 above here: \_\_\_\_\_
  - (B) Place the amount listed in item 5 above here: \_\_\_\_\_  
(If no amount is listed, place zero here.)
  - (C) Subtract Line 6(b) from Line 6(a) and place the result here: \_\_\_\_\_



7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is \_\_\_\_\_.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as Grantor.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

*Joe H*  
Responsible Person Connected with the Transaction

JOSEPH HAMPL  
Print or Type Name Here Director of Finance

Sworn this 17 day of July 2019  
Mia A Brondsema  
Notary Public for South Carolina  
My Commission Expires: Sept. 24. 20 22



STATE OF SOUTH CAROLINA )  
) EXCLUSIVE STORM  
) WATER DRAINAGE  
) EASEMENTS  
COUNTY OF CHARLESTON ) CITY OF CHARLESTON

This Agreement is made and entered into this \_\_\_ day of \_\_\_\_\_ 2019, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"), and MG RIVERVIEW FARMS, LLC, a SC limited liability company (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of property identified by and designated as Charleston County tax map number 312-02-00-085 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced portion of the Owner's property as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain New City of Charleston Drainage Easements (or "D.E." or "COC Drainage Easement," including but not limited to any easement designated "to become . . . COC Drainage Easement") as such are identified on the above referenced portion of property and which are more fully shown on that certain plat entitled,

FINAL PLAT SHOWING THE ABANDONMENT OF THE PROPERTY LINES BETWEEN TMS NO 312-00-00-065 (18.971 ACRES) AND TMS NO. 312-00-00-066 (4.998 ACRES) TO FORM RIVERVIEW ESTATES (23.969 ACRES) CONTAINING LOTS 1 THROUGH 48 (11.097 ACRES), RIGHT-OF-WAYS (3.047 ACRES), HOMEOWNERS ASSOCIATION AREAS (9.825 ACRES) AND SHOWING TMS NO. 312-02-00-085 (21.616 ACRES) PREPARED FOR ASHTON CHARLESTON RESIDENTIAL, LLC,"

Prepared and executed by Richard D. Lacey, dated February 15, 2019, revised on \_\_\_\_\_, and recorded on \_\_\_\_\_ in Plat Book \_\_\_\_\_ at Pages \_\_\_\_\_ through \_\_\_\_\_ in the Register of Deeds Office for Charleston County, South Carolina (herein the "Plat"). A copy of said plat is attached hereto as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.



The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

As among the City, the Owner, and Ashton Charleston Residential L.L.C., a SC limited liability company ("Ashton") this Agreement supersedes any conflicting provisions in that certain Easement Agreement between the Owner and Ashton dated February 28, 2018, and recorded on February 28, 2018, in Deed Book 0701 at Page 596 in the ROD Office for Charleston County, South Carolina, including but not limited to any amendments or modifications thereto, whether or not recorded.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

**[REMAINDER OF PAGE INTENTIONALLY BLANK; SIGNATURE PAGE TO FOLLOW]**

A handwritten signature in black ink, appearing to be the initials 'MAD' or similar, located in the bottom right corner of the page.

IN WITNESS WHEREOF, the parties have set their Hands and Seals the day and year first above written.

WITNESSES:

CITY OF CHARLESTON

Witness # 1

By:  
Its:

Witness # 2

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by \_\_\_\_\_, the \_\_\_\_\_ of the City of Charleston, a municipal corporation organized and existing pursuant to the laws of the State of South Carolina, on \_\_\_\_\_, 2019.

Signature: \_\_\_\_\_  
Print Name of Notary: \_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_  
SEAL OF NOTARY

WITNESSES:

Witness # 1

OWNER:

By: Mark Goldberg Mark Goldberg  
Its: \_\_\_\_\_

Witness # 2

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

ACKNOWLEDGEMENT

the foregoing instrument was acknowledged before me (the undersigned notary) by Mark Goldberg, the sole member, of MG Riverview Farms, L.L.C. a SC limited liability company, on behalf of the Owner, on 11/5/, 2019.

Signature: Ruthie Dreher  
Print Name of Notary: Ruthie Dreher  
Notary Public for  
My Commission Expires: \_\_\_\_\_  
SEAL OF NOTARY



IN WITNESS WHEREOF, Ashton Charleston Residential L.L.C., a SC limited liability company, hereby consents to the terms of the above agreement.

WITNESSES:

[Signature]

Witness # 1

[Signature]

Witness # 2

ASHTON CHARLESTON RESIDENTIAL L.L.C.,  
a SC limited liability company

[Signature]

By: Robert Norton

Its: Division President

STATE OF SOUTH CAROLINA )

ACKNOWLEDGEMENT

COUNTY OF CHARLESTON )

The foregoing instrument was acknowledged before me (the undersigned notary) by Robert Norton, the Division President, of Ashton Charleston Residential L.L.C., a SC limited liability company, on its behalf, on October 20, 2019.

Signature: [Signature]

Print Name of Notary: Elizabeth D. McGrath

Notary Public for South Carolina

My Commission Expires: 11/5/21

SEAL OF NOTARY

[END OF DOCUMENT]

Elizabeth D. McGrath  
Notary Public, State of South Carolina  
My Commission Expires November 5, 2024

STATE OF SOUTH CAROLINA     )     **EXCLUSIVE STORM**  
   )     **WATER DRAINAGE**  
   )     **EASEMENTS**  
 COUNTY OF CHARLESTON        )     **CITY OF CHARLESTON**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2019, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"), and ASHTON CHARLESTON RESIDENTIAL L.L.C., a SC limited liability company (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of property identified by and designated as Charleston County tax map numbers 312-00-00-065 and 312-00-00-066, and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced portion of the Owner's property as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain New City of Charleston Drainage Easements (or "D.E." or "COC Drainage Easement," including but not limited to any easement designated "to become . . . COC Drainage Easement") as such are identified on the above referenced portion of property and which are more fully shown on that certain plat entitled,

FINAL PLAT SHOWING THE ABANDONMENT OF THE PROPERTY LINES BETWEEN TMS NO 312-00-00-065 (18.971 ACRES) AND TMS NO. 312-00-00-066 (4.998 ACRES) TO FORM RIVERVIEW ESTATES (23.969 ACRES) CONTAINING LOTS 1 THROUGH 48 (11.097 ACRES), RIGHT-OF-WAYS (3.047 ACRES), HOMEOWNERS ASSOCIATION AREAS (9.825 ACRES) AND SHOWING TMS NO. 312-02-00-085 (21.616 ACRES) PREPARED FOR ASHTON CHARLESTON RESIDENTIAL, L.L.C.,"

Prepared and executed by Richard D. Lacey, dated February 15, 2019, revised on \_\_\_\_\_, and recorded on \_\_\_\_\_ in Plat Book \_\_\_\_ at Pages \_\_\_\_\_ through \_\_\_\_\_ in the Register of Deeds Office for Charleston County, South Carolina (herein the "Plat"). A copy of said plat is attached hereto as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

**[REMAINDER OF PAGE INTENTIONALLY BLANK; SIGNATURE PAGE TO FOLLOW]**

IN WITNESS WHEREOF, the parties have set their Hands and Seals the day and year first above written.

WITNESSES: CITY OF CHARLESTON

Witness # 1 By:
Witness # 2 Its:

STATE OF SOUTH CAROLINA )
COUNTY OF CHARLESTON ) ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by
the of the City of Charleston, a municipal
corporation organized and existing pursuant to the laws of the State of South Carolina, on
, 2019.

Signature:
Print Name of Notary:
Notary Public for South Carolina
My Commission Expires:
SEAL OF NOTARY

WITNESSES: OWNER:
Witness # 1 By: Robert Norton
Witness # 2 Its: Division President

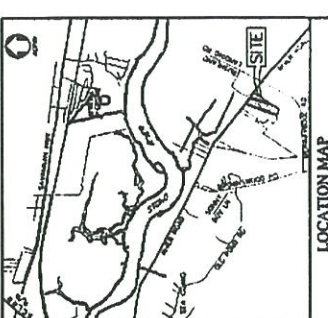
STATE OF SOUTH CAROLINA )
COUNTY OF CHARLESTON ) ACKNOWLEDGEMENT

the foregoing instrument was acknowledged before me (the undersigned notary) by
Robert Norton, the Division President, of Ashton Charleston Residential
L.L.C., a SC limited liability company, on behalf of the Owner, on October 30, 2019.

Signature:
Print Name of Notary: Elizabeth D. McGrath
Notary Public for South Carolina
My Commission Expires: 11/5/24
SEAL OF NOTARY

Elizabeth D. McGrath
Notary Public, State of South Carolina
My Commission Expires November 5, 2024

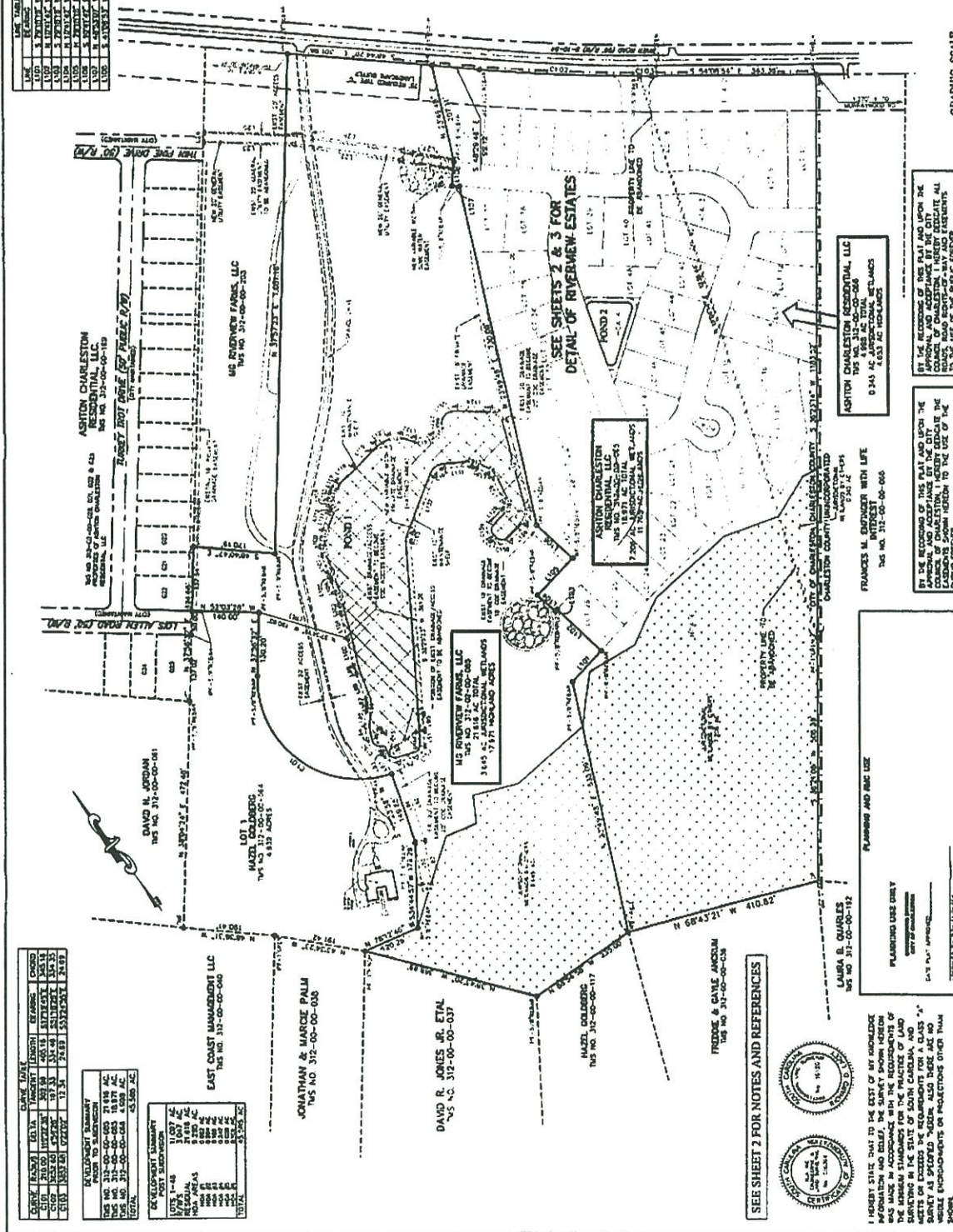




**LEGEND**

- BOUNDARY LINE & CORNER TOLLS (AS ASSIGNED)
- ADJACENT BOUNDARY LINE
- BOUNDARY LINE (AS ASSIGNED)
- CONDUIT
- POWER POLE
- UTILITY POLE
- CITY OF CHARLOTTE

TRACT NO.	ACRES	OWNER	TRACT NO.	ACRES	OWNER
312-00-00-01	2.13	DAVID N. JONES	312-00-00-17	2.13	HAZEL BOLDRICE
312-00-00-02	2.13	DAVID N. JONES	312-00-00-18	2.13	HAZEL BOLDRICE
312-00-00-03	2.13	DAVID N. JONES	312-00-00-19	2.13	HAZEL BOLDRICE
312-00-00-04	2.13	DAVID N. JONES	312-00-00-20	2.13	HAZEL BOLDRICE
312-00-00-05	2.13	DAVID N. JONES	312-00-00-21	2.13	HAZEL BOLDRICE
312-00-00-06	2.13	DAVID N. JONES	312-00-00-22	2.13	HAZEL BOLDRICE
312-00-00-07	2.13	DAVID N. JONES	312-00-00-23	2.13	HAZEL BOLDRICE
312-00-00-08	2.13	DAVID N. JONES	312-00-00-24	2.13	HAZEL BOLDRICE
312-00-00-09	2.13	DAVID N. JONES	312-00-00-25	2.13	HAZEL BOLDRICE
312-00-00-10	2.13	DAVID N. JONES	312-00-00-26	2.13	HAZEL BOLDRICE
312-00-00-11	2.13	DAVID N. JONES	312-00-00-27	2.13	HAZEL BOLDRICE
312-00-00-12	2.13	DAVID N. JONES	312-00-00-28	2.13	HAZEL BOLDRICE
312-00-00-13	2.13	DAVID N. JONES	312-00-00-29	2.13	HAZEL BOLDRICE
312-00-00-14	2.13	DAVID N. JONES	312-00-00-30	2.13	HAZEL BOLDRICE
312-00-00-15	2.13	DAVID N. JONES	312-00-00-31	2.13	HAZEL BOLDRICE
312-00-00-16	2.13	DAVID N. JONES	312-00-00-32	2.13	HAZEL BOLDRICE



DATE	BY	REVISION
01/15/10	JLW	ISSUED FOR PERMITS
01/15/10	JLW	ISSUED FOR PERMITS
01/15/10	JLW	ISSUED FOR PERMITS
01/15/10	JLW	ISSUED FOR PERMITS
01/15/10	JLW	ISSUED FOR PERMITS
01/15/10	JLW	ISSUED FOR PERMITS
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01/15/10	JLW	ISSUED FOR PERMITS
01/15/10	JLW	ISSUED FOR PERMITS
01/15/10	JLW	ISSUED FOR PERMITS

**DEVELOPMENT SUMMARY**

LOT 1	1.00 AC
LOT 2	1.00 AC
LOT 3	1.00 AC
LOT 4	1.00 AC
LOT 5	1.00 AC
LOT 6	1.00 AC
LOT 7	1.00 AC
LOT 8	1.00 AC
LOT 9	1.00 AC
LOT 10	1.00 AC
LOT 11	1.00 AC
LOT 12	1.00 AC
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LOT 85	1.00 AC
LOT 86	1.00 AC
LOT 87	1.00 AC
LOT 88	1.00 AC
LOT 89	1.00 AC
LOT 90	1.00 AC
LOT 91	1.00 AC
LOT 92	1.00 AC
LOT 93	1.00 AC
LOT 94	1.00 AC
LOT 95	1.00 AC
LOT 96	1.00 AC
LOT 97	1.00 AC
LOT 98	1.00 AC
LOT 99	1.00 AC
LOT 100	1.00 AC

**PLANNING AND MAP USE**

PLANNING USE ONLY  
 CITY OF CHARLOTTE  
 DATE: 01/15/10  
 APPROVED BY: [Signature]  
 APPROVED BY: [Signature]

**SEE SHEET 2 FOR NOTES AND REFERENCES**

**FINAL PLAT SHOWING THE ABANDONMENT OF THE PROPERTY LINES BETWEEN [Property Owners]**

TMS NO 312-00-00-065 (18.971 ACRES) AND TMS NO 312-00-00-066 (4.996 ACRES) TO FORM RIVERVIEW ESTATES (23.969 ACRES) CONTAINING LOTS 1 THROUGH 48 (11.097 ACRES), RIGHTS-OF-WAYS (3.047 ACRES), HOMEOWNERS ASSOCIATION AREAS (9.825 ACRES) AND SHOWING TMS NO 312-02-00-095 (21.616 ACRES) PREPARATOR ASHTON CHARLESTON RESIDENTIAL, LLC

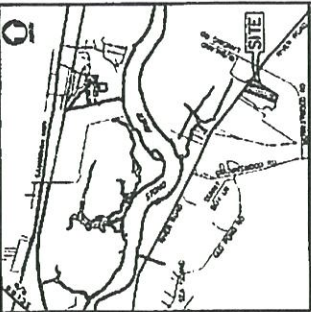
THE CITY OF CHARLOTTE, NORTH CAROLINA  
 DATE: FEBRUARY 18, 2010  
 SCALE: 1" = 80'  
 SHEET 1 OF 3

H.L.A. ARCHITECTS AND ENGINEERS  
 79 LINDSEY DRIVE, A.S. CHARLOTTE, NC 28204-0443  
 TEL: 843.841.1100 FAX: 843.841.1109 WWW: WWW.HLA.COM

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE INFORMATION AND BELIEF, THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT, AND THAT I AM NOT PROVIDING ANY INFORMATION IN THIS STATEMENT FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF NORTH CAROLINA, AND THAT I AM NOT PROVIDING ANY INFORMATION FOR THE PRACTICE OF LAND SURVEYING IN ANY OTHER STATE OR JURISDICTION. ALSO, I HAVE NOT BEEN ADVISED OF ANY WRITABLE ENCUMBRANCES OR PROJECTIONS OTHER THAN THOSE SHOWN.

RONALD D. LUCY, C.E.P.S. 11170P





LOCATION MAP  
NOT TO SCALE

LOT	AREA	PERCENTAGE OF TOTAL
1	0.0100	0.01
2	0.0100	0.01
3	0.0100	0.01
4	0.0100	0.01
5	0.0100	0.01
6	0.0100	0.01
7	0.0100	0.01
8	0.0100	0.01
9	0.0100	0.01
10	0.0100	0.01
11	0.0100	0.01
12	0.0100	0.01
13	0.0100	0.01
14	0.0100	0.01
15	0.0100	0.01
16	0.0100	0.01
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81	0.0100	0.01
82	0.0100	0.01
83	0.0100	0.01
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93	0.0100	0.01
94	0.0100	0.01
95	0.0100	0.01
96	0.0100	0.01
97	0.0100	0.01
98	0.0100	0.01
99	0.0100	0.01
100	0.0100	0.01

DATE DRAWN: 05/15/2018  
 DATE CHECKED: 05/15/2018  
 DATE APPROVED: 05/15/2018

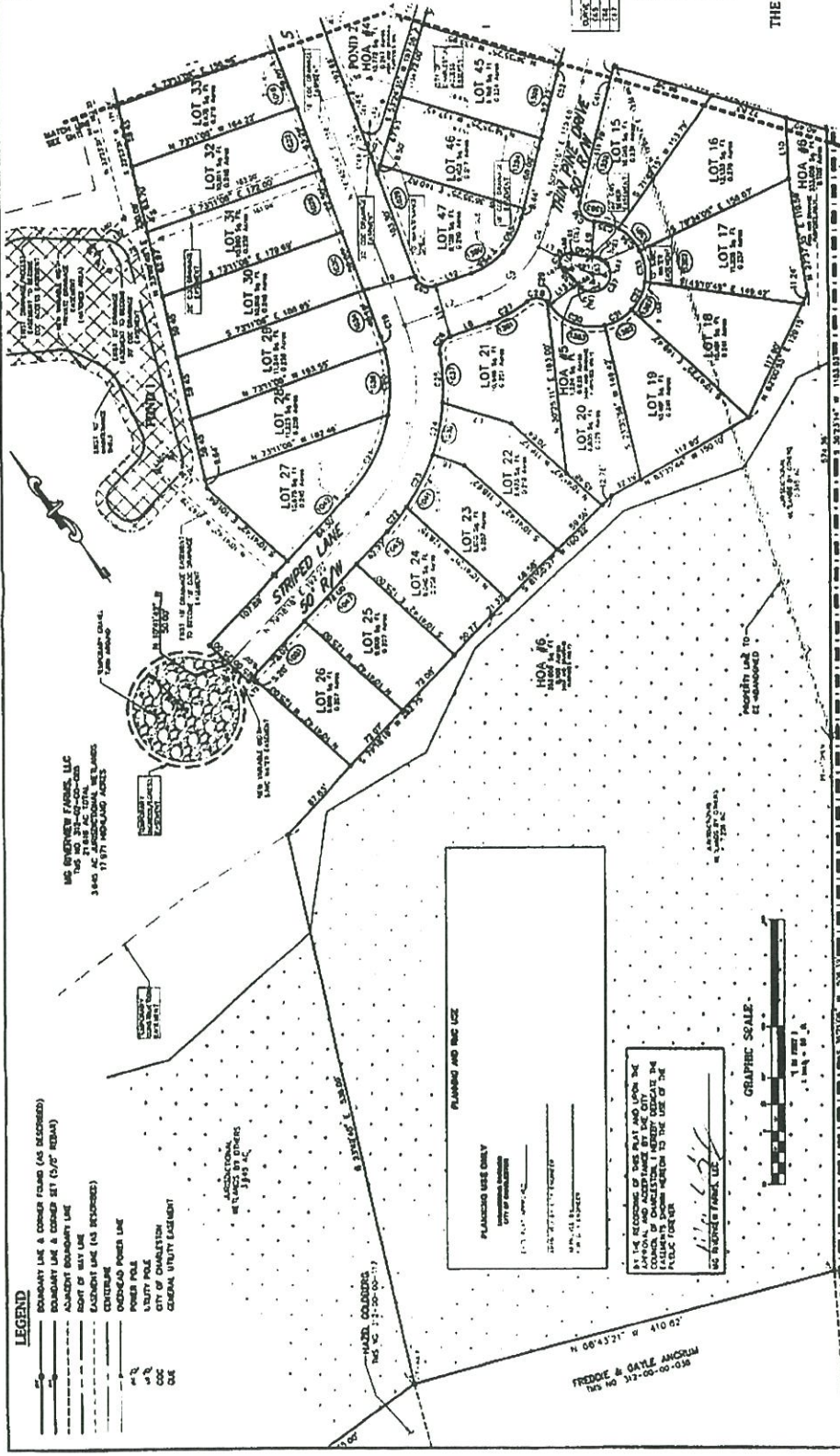
IN THE RECORDS OF THIS PLAT AND UPON THE APPROVAL AND ACCEPTANCE BY THE CITY COUNCIL OF CHARLESTON, I HEREBY DECLARE THE COPIES OF THIS PLAT TO BE TRUE AND CORRECT TO THE USE OF THE PUBLIC FOR THE DESIGN/RECORDING PURPOSES.

*[Signature]*  
 DESIGN/RECORDING

FINAL PLAT SHOWING  
 THE ABANDONMENT OF THE PROPERTY LINES  
 BETWEEN  
 TMS NO. 312-00-00-065 (18.971 ACRES)  
 AND  
 TMS NO. 312-00-00-066 (4.998 ACRES)  
 TO FORM RIVERVIEW ESTATES (23.969 ACRES)  
 CONTAINING

LOTS 1 THROUGH 48 (11,097 ACRES),  
 RIGHT-OF-WAYS (3,047 ACRES),  
 HOMEOWNERS ASSOCIATION AREAS (9,825 ACRES)  
 AND SHOWING  
 TMS NO. 312-02-00-085 (21,616 ACRES)  
 TO FORM RIVERVIEW ESTATES (23.969 ACRES)  
 ASHTON CHARLESTON RESIDENTIAL, LLC

THE CITY OF CHARLESTON  
 CHARLESTON COUNTY SOUTH CAROLINA  
 DATE: FEBRUARY 15, 2018 SCALE: 1" = 40'  
**HLA**  
 HUNTER LAMSON ARCHITECTURE  
 201 Lakeside Drive, A1 Charleston, SC 29405-4843  
 Tel: 843.783.1188 Fax: 843.783.1197  
 www.hunterlamson.com  
**SHEET 3 OF 3**



**LEGEND**

- BOUNDARY LINE & CORNER FOUND (AS INDICATED)
- BOUNDARY LINE & CORNER SET (3/4" REBAR)
- ADJACENT BOUNDARY LINE
- RIGHT OF WAY LINE
- EASEMENT LINE (AS RETURNED)
- CENTRALISE
- OVERHEAD POWER LINE
- POWER POLE
- CONCRETE
- CITY OF CHARLESTON
- GENERAL UTILITY EASEMENT
- ASHTON CHARLESTON RESIDENTIAL, LLC
- 17151 HIGHLAND AVENUE

PLANNING AND RECORDS USE ONLY  
 CITY OF CHARLESTON

IN THE RECORDS OF THIS PLAT AND UPON THE APPROVAL AND ACCEPTANCE BY THE CITY COUNCIL OF CHARLESTON, I HEREBY DECLARE THE COPIES OF THIS PLAT TO BE TRUE AND CORRECT TO THE USE OF THE PUBLIC FOR THE DESIGN/RECORDING PURPOSES.

*[Signature]*  
 DESIGN/RECORDING

SEE SHEET 2 FOR NOTES AND REFERENCES

DATE	REASON	BY	FOR
05/15/2018	FINAL PLAT	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC
05/15/2018	CHECKED	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC
05/15/2018	APPROVED	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC

DATE	REASON	BY	FOR
05/15/2018	FINAL PLAT	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC
05/15/2018	CHECKED	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC
05/15/2018	APPROVED	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC

DATE	REASON	BY	FOR
05/15/2018	FINAL PLAT	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC
05/15/2018	CHECKED	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC
05/15/2018	APPROVED	HLA	ASHTON CHARLESTON RESIDENTIAL, LLC

LAURA B. GUARDES  
 TMS NO. 312-00-00-122

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE DATES SHOWN HEREON ARE TRUE AND CORRECT. I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF SOUTH CAROLINA, AND THAT I HAVE BEEN LICENSED FOR A QUANTITATIVE SURVEYING PRACTICE AS A PROFESSIONAL SURVEYOR. I HAVE NOT BEEN DISCIPLINED OR REPEATEDLY DISCIPLINED BY THE STATE BOARD OF PROFESSIONAL SURVEYORS.

*[Signature]*  
 REGISTERED PROFESSIONAL SURVEYOR



Ratification Number \_\_\_\_\_

# AN ORDINANCE

TO AMEND CHAPTER 2, SECTION 56, TO EXPAND THE RESPONSIBILITIES OF THE PUBLIC SAFETY COMMITTEE TO INCLUDE REVIEW OF JUDICIAL CANDIDATES AND MAKING RECOMMENDATIONS TO THE MAYOR.

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

**Section 1.** Chapter 2, Section 56 of the Code of the City of Charleston is hereby amended by adding thereto the following underlined language as new subsection (d) and renumbering former subsection (d) in its entirety as new subsection (e) which shall read as follows:

**“Sec. 2-56. - Same—Public safety.**

(a) *Composition.* The committee on public safety shall consist of four (4) members of council and the mayor.

(b) *Quorum.* A quorum shall be three (3) members.

(c) *Responsibilities.* The responsibilities of the committee on public safety shall involve recommendations to council on all matters pertaining to:

- (1) Fire service policy;
- (2) Police service policy;
- (3) Civil defense and emergency planning;
- (4) Municipal penal ordinances and court services.

(d) *Review of Judicial Candidates.* The committee on public safety shall review and make recommendations regarding judicial candidates submitted by the mayor prior to the mayor’s formal nomination of a judicial candidate to council for its approval.

(e) *Coordination with executive branch.* The committee on public safety shall be responsible for coordination with the police department, fire department, trustees of the fireman's insurance and pension fund, police relief and pension fund commission, board of firemasters and municipal court system.”

**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.

By:

\_\_\_\_\_  
John J. Tecklenburg  
Mayor, City of Charleston

ATTEST:

\_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council

Ratification

Number \_\_\_\_\_

## AN ORDINANCE

TO AMEND ARTICLE 3, PART 2, SEC. 54-306 THROUGH 54-306.V, OLD CITY HEIGHT DISTRICTS, OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE), FOR CORRECTIONS AND CLARIFICATIONS.

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

Section 1. Article 3, Part 2, Sec. 54-306 through 54-306.V., Old City Height Districts, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended for corrections and clarifications by deleting text shown below with ~~strike through~~ and adding text shown below with double underline:

**“Sec. 54-306. - Old City Height Districts.**

The requirements of this section have resulted from a contextual study of building height and architectural patterns in the Old City Height District. The requirements of this section reflect the predominant building height trends of the areas to which they are applied, and reinforce the principles cited in the Downtown Plan, adopted in 1999, that higher structures be located along spine streets of the Peninsula, with heights of structures tapering down towards the waters' edges. The requirements of this Section are intended to clarify acceptable heights of buildings in areas of the Old City Height District, subject to the right of the Board of Architectural Review to adjust heights in limited circumstances when based on architectural merit and context.

General requirements:

1. Heights shall be measured in stories or feet, as specified. Notwithstanding the foregoing, height shall be measured in feet in the following districts: 3X, 85/200, 85/125, 85/30, 100/30, 80/30, 55/30S, 55/30, 56/30V, 120/30, 50W, W and WP.
2. For maximum height specified in feet, the measurement shall be taken from the highest curb elevation adjacent to the site to the highest point of the structure. ~~For maximum height specified in stories, the measurement shall be taken from the main floor finished elevation.~~ Where heights are specified in stories, the measurement shall be taken from finished floor to finished floor.

3. ~~Where heights are specified in stories or feet, the measurement shall be from finished floor to finished floor.~~
- 4-3. If a building is required to be raised per FEMA requirements, that same height shall be added to the maximum height allowed, up to a maximum of six (6) feet. This measurement shall be taken from the highest curb elevation.
4. Existing structures shall be allowed to be elevated to meet FEMA and City freeboard requirements and exceed height limitations of this Chapter. Elevating an existing or new structure above the minimum elevation required by FEMA and City freeboard requirements to accommodate parking under the structure is prohibited.
5. Any area under a structure in excess of six feet shall be counted as a story.
6. The BAR is empowered to require a downward adjustment of one-half story in the number of stories ~~based on~~ from the permitted number of stories in the applicable height district based on the predominate number of stories of structures that predominate in the structure's immediate surroundings, as defined in Section 54-231.
7. Floors shall be measured in the following manner:

Residential:

- i-a. ~~The maximum height of any residential floor shall be 12 feet, unless otherwise specified. The BAR may grant a waiver up to 14 feet on the first or second floor, based on architectural merit and context. Any dimension above this shall constitute a second floor two stories. The BAR may grant a waiver up to 14 feet on the first or second floor, based on architectural merit and context.~~
- ii.b. ~~The minimum height of any residential floor shall not be less than 10 feet; however, there is no minimum height for floors in a single one family dwelling residence, duplex two family dwelling or one family attached dwelling or townhouse.~~
- c. The BAR is empowered to require adjustments to floor heights, based on context of the structure with its immediate surroundings, as defined in Section 54-231.

Non-Residential:

- iii-d. ~~The maximum height of any nonresidential story shall be 20 feet, unless otherwise specified. The BAR may grant a waiver up to 25 feet on the main floor based on architectural merit and context. Any dimension above this height shall constitute a second floor two stories. The BAR may grant a waiver up to 25 feet on the main floor based on architectural merit and context.~~
- iv e. The minimum height of any nonresidential floor shall not be less than 14 12 feet, unless otherwise specified in Sec. 54.306.X.

v.f. The BAR is empowered to require downward adjustments to floor heights, based on context of the structure with its immediate surroundings, as defined in Section 54-231 H.

8. ~~Half stories shall be permitted as specified by zone. Half stories shall constitute a maximum 50% habitable use of the attic space or 50 percent of the buildable area, whichever is less. For purposes of this section, in nonresidential structures, a half story means an area no larger than 50 percent of the footprint of the structure, regardless of whether that area is under a roof or not. For purposes of this section, in single family residences, duplexes or townhomes, a half story means finished attic space under a sloping roof. Half stories, as the top story of a building, shall be permitted as specified by height district, subject to the following restrictions.~~

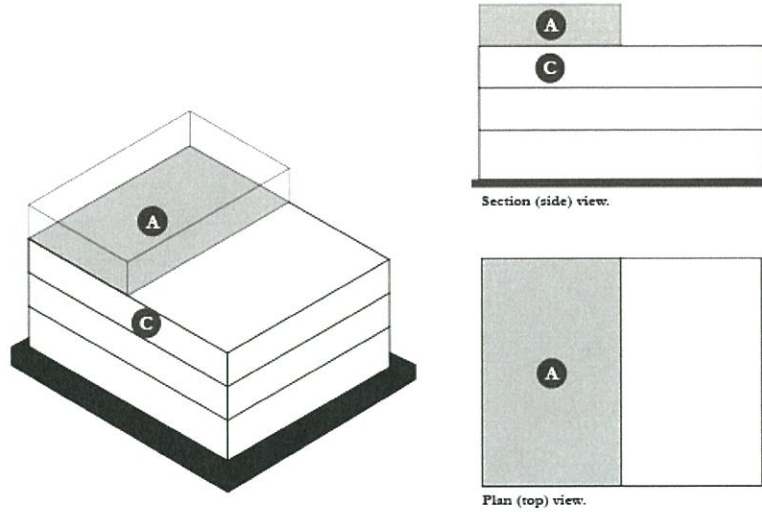
For the purposes of this section, half stories on one-family dwellings, two-family dwellings, one-family attached dwellings, and accessory buildings to these building types within the Old City Height Districts shall be limited the space under a gable or hipped roof where the wall plates, or knee walls, on at least two opposite exterior walls shall not exceed two feet in height. The aggregate width of dormers on a half story shall not exceed 30% of the width of the exterior wall below the dormer(s).

Notwithstanding the definition for half story in Sec. 54-120, for purposes of this section, half stories on all other types of buildings may be either:

- a. A full story with a total floor area, including any covered exterior floor area under a roof, that does not exceed 50% of the conditioned floor area of the story immediately below the half story as illustrated in Figure 1 below, or
- b. A half story under a gable or hipped roof that complies with the restrictions for a half story on a one or two family dwelling described in the previous paragraph



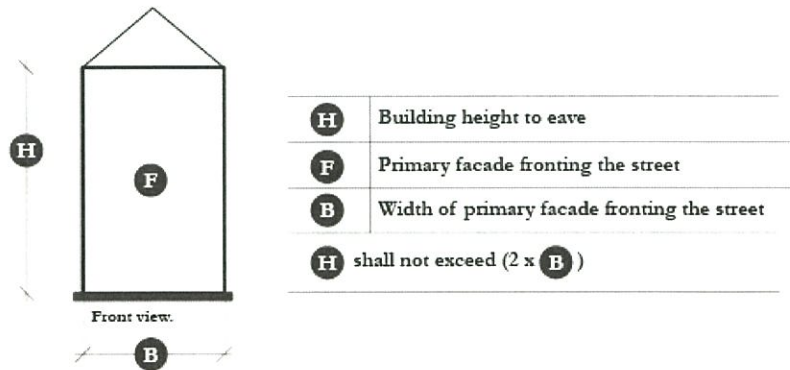
Figure 1



A	Area of half story	A shall not exceed 50% of the conditioned floor area of C .
C	Story immediately below the half story	

9. Building height to roof eave shall not exceed twice the building width of the primary façade of habitable space fronting the street as illustrated in Figure 2 below; provided the Board of Architectural Review may waive this provision based on architectural merit and context.

Figure 2



10. There shall be no minimum building height requirement, unless required by the applicable height district as specified in Sec. 54-306.X..
11. Appurtenances to a building shall not be permitted to exceed the maximum height, unless otherwise specified.

- ~~12~~11. If any portion of a structure subject to the jurisdiction of the BAR is within fifty (50) feet of an existing structure rated "exceptional" (Group 1) or "excellent" (Group 2) on the Historic Architecture Inventory, adopted by Section 54-235, or a structure in the Landmark Overlay district, such portion of that structure shall not exceed the height of such existing structures unless approved by the Board of Architectural Review based on architectural merit and context.
- ~~13.~~ Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same.
- ~~14~~12. Additional buildings ~~that are not accessory buildings, and~~ additions to buildings, ~~and accessory buildings that include dwelling units~~ that are subject to the jurisdiction of the BAR shall be subordinate in height, scale and mass to the primary existing building; provided this provision may be waived by the Board of Architectural Review when it deems such appropriate based on architectural merit and context or existing lot conditions. This provision does not apply to vertical additions to existing buildings. When appropriate, vertical additions must strive to be minimally visible with minimal impact on the character of the historic building and its context.
- ~~15~~13. Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be constrained by floor to floor height requirements, but stand-alone parking garages shall appear from the street to conform to the number of stories permitted in the height district in which it is located.
- ~~16~~14. In the height districts where additional height may be awarded on the basis of architectural merit and context, if the property is not subject to the jurisdiction of the Board of Architectural Review, the owner requesting the additional height must submit the plans to the Board of Architectural Review for review and approval. The property will not remain subject to the Board of Architectural Review purview after the request for additional height is reviewed. Any further request for additional height will trigger review by the Board of Architectural Review.
- ~~17~~15. An applicant seeking a height rezoning shall only be able to request a rezoning to the next higher height district, except for applicants seeking a rezoning to the Upper Peninsula Zoning district.
- ~~18.~~ An applicant requesting additional height as may be authorized per the applicable height district shall adhere to submittal requirements as adopted by the Board of Architectural Review.
- ~~19~~16. Standalone Communication towers shall not exceed the maximum building height limits of districts that include a maximum height limit in feet, or a height limit equal to ~~10~~ 14 feet per story for districts that ~~do not specify a maximum height in feet~~ are specified in stories.
- ~~20~~17. "Architectural merit" means a project that reflects exemplary architectural and urban design, utilizes the highest level of materials and finishes and contributes to the public realm, as outlined in the Board of Architectural Review Principles.

18. Additional height for ornamental appurtenances and utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC and communication equipment) that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.
19. Appurtenances shall not exceed nine (9) feet and shall be placed to the rear of side of a building where possible in order to minimize visibility from the public right of way.
20. Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same. Density of screening should be adequate to sufficiently screen mechanical equipment.

**Sec. 54-306.A. - Height District 2.5.**

In this district:

1. Maximum building height shall be 2.5 stories as specified in 54-306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional half story on buildings subject to its jurisdiction based on architectural merit and context.
3. Within residential zone districts that are not subject to design review approval by the Board of Architectural Review, accessory buildings, as defined by the Zoning Ordinance, shall not exceed one and one-half stories and an eave height of eleven feet, except where applicable regulations of the Zoning Ordinance allow an additional dwelling unit in an accessory building.

**Sec. 54-306.B. - Height District 3.**

In this district:

1. Maximum building height shall be 3 stories as specified in 54.306.X.
2. The attic shall not be habitable.
3. The nonresidential ground floor shall not exceed 14 feet as specified in 54.306.X.
4. The Board of Architectural Review may waive the limitation on habitable attic space based on architectural merit and context.
5. Within residential zone districts, accessory buildings, as defined by the zoning ordinance, that are not subject to design review approval by the Board of Architectural Review, shall not exceed one and one-half stories and an eave height of eleven feet, except where applicable regulations of the Zoning Ordinance allow an additional dwelling unit in an accessory building.

**Sec. 54-306.C. - Height District 2.5 - 3.5.**

In this district:

1. On rights-of way greater than 50 feet, the building height shall be limited to a maximum 3 stories as specified in 54.306.X and a maximum height of 45 feet.
2. On rights-of-way between 35 feet and 50 feet, the building height shall be limited to a maximum of 3 stories as specified in 54.306.X, and shall also be limited by the ROW right-

~~of-way width of the street at a maximum 1:1 ratio. In no event, shall maximum building height exceed 45 feet. (i.e.: if a ROW is 40ft, the building shall not be taller than 40ft). Right-Of-Way measurements will be determined by the Zoning Administrator.~~

- ~~3. On rights-of-way less than 35ft the building height shall be limited to a maximum 2.5 stories as specified in 54.306.X.~~

~~For multi-family buildings subject to its jurisdiction and in PUDs, the Board of Architectural Review may permit up to 4 stories and up to a maximum 45 feet, based on architectural merit and context.~~

~~Any new structure that requires the main floor to be elevated more than 2 feet above the average sidewalk height as per FEMA requirements shall be allowed the equivalent in height up to a maximum of 50 feet overall.~~

- ~~4. The nonresidential main floor shall not be less than 12 feet in height and no more than 16 14 feet in height, unless a waiver is granted for additional height of the floor per the requirements of Sec. 54-306 (7) hereof.~~

- ~~5. Within residential zone districts, accessory buildings, as defined by the zoning ordinance, that are not subject to design review approval by the Board of Architectural Review, shall not exceed one and one-half stories and an eave height of eleven feet, except where applicable regulations of the Zoning Ordinance allow an additional dwelling unit in an accessory building.~~

#### **Sec 54-306.D. - Height District 3.5**

In this district:

1. Maximum building height shall be 3.5 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional half story, based on architectural merit and context, ~~up to a maximum of 50 feet overall.~~

#### **Sec 54-306.E. - Height District 4**

In this district:

1. Maximum building height shall not exceed 4 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional one-half story, based on architectural merit and context, ~~up to a maximum of 50 feet overall.~~

#### **Sec 54-306.F. - Height District 5**

In this district:

1. Maximum building height shall not exceed 5 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional story based on architectural merit and context.

~~Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.~~

~~Utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) may exceed the maximum height, based on the following standards:~~

~~Appurtenances shall not exceed nine feet in height.~~

~~Appurtenances shall be placed to the rear or side of the buildings where possible.~~

3. Structures that are 5 stories or more shall be abutted by sidewalks no less than 10 feet in width.

### **Sec. 54-306.G. - Height District 6**

In this district:

1. Maximum building height shall not exceed 6 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional story based on architectural merit and context.

~~Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.~~

~~Utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) may exceed the maximum height, based on the following standards:~~

~~Appurtenances shall not exceed nine feet in height.~~

~~Appurtenances shall be placed to the rear or side of the buildings where possible.~~

3. Structures that are more than 6 stories shall be abutted by sidewalks no less than 10 feet in width.

### **Sec. 54-306.H. - Height District 7**

In this district:

1. Maximum building height shall not exceed 7 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional story based on architectural merit and context.
3. Structures that are more than 7 stories shall be abutted by sidewalks no less than 10 feet in width.

**Sec 54-306.~~H-I~~ - Height District 8**

In this district:

1. Maximum building height shall not exceed 8 stories as specified in 54.306.X.
2. The Board of Architectural Review or Design Review Board may permit an additional story based on architectural merit and context.

~~Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.~~

~~Utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) may exceed the maximum height, based on the following standards:~~

~~Appurtenances shall not exceed nine feet in height.~~

~~Appurtenances shall be placed to the rear or side of the buildings where possible.~~

3. Structures that are 8 stories or more shall be abutted by sidewalks no less than 10 feet in width.
4. The provisions of Sec. 54-306 (12) do not apply in this height district.

**Sec 54-306.~~I-J~~ - Height District 4-12**

In this district:

1. Maximum building height shall not exceed 4 stories subject to height bonuses acquired through the use of incentive options as defined beginning in Sec. 54-299.21. ~~Additional stories, up to a maximum of 12 stories shall be permitted based on meeting specific performance standards as defined in Sec. 54-201.~~

~~Additional height for ornamental appurtenances that exceed the maximum allowable height may be permitted by the Board of Architectural Review, based on architectural merit and context.~~

~~Utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC equipment) may exceed the maximum height when their visual impact is minimized, based on the following standards:~~

~~Utilitarian appurtenances shall not exceed nine feet in height.~~

~~Utilitarian appurtenances shall be placed to the rear or side of the buildings where possible.~~

2. Structures more than 4 stories shall be abutted by sidewalks no less than 10 feet in width.

**Sec. 54-306.~~J-K~~ - Height District 3X**

In this district, no structure, including appurtenant parts of a structure, except for elevator penthouses, or mechanical penthouses, shall exceed a height equal to three (3) times the least dimension as measured from the center of the right-of-way to the face of the building. No structure fronting on any street shall be lower than the height of thirty (30) feet.

**Sec. 54-306.~~K-L~~ - Height District 85/200**

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of two hundred (200) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.
3. All portions of a structure above eighty-five (85) feet including elevator penthouses and mechanical penthouses, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least fifty-five (55) feet from the center of the street right-of-way. All such portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall occupy no more than fifty (50) percent of the building site coverage area.

**Sec. 54-306.L.M. - Height District 85/125**

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of one hundred and twenty-five (125) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.
3. All portions of a structure above eighty-five (85) feet including elevator penthouses and mechanical penthouses, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least fifty-five (55) feet from the center of the street right-of-way. All such portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall occupy no more than seventy-five (75) percent of the building site coverage area.

**Sec. 54-306.M.N. - Height District 85/30**

In this district:

1. No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of eighty-five (85) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty (40) feet from the center of the street right-of-way, and a minimum of fifty (50) percent of the building's street frontage shall occur at this set back line, subject to provisions of Article 3: Part 10.

**Sec. 54-306.N.O. - Height District 100/30**

In this district:

1. The minimum height for a structure fronting on a street is thirty (30) feet, and the minimum height on the ground floor of a structure fifteen (15) feet.
2. The maximum height of a structure along north-south oriented streets is four (4) stories. The height along north-south oriented streets shall be maintained from the edge of the right-of-way into the interior of the lot for a distance of one hundred (100) feet, except as provided in part 5 hereof.
3. The maximum height of a structure along east-west oriented streets is five (5) stories. The height along east-west oriented streets shall be maintained from the edge of the right-of-way into the interior of the lot a distance of twenty-five (25) feet, except as provided in part 5 hereof.
4. Within the interior of lots (one hundred (100) feet from the edge of north-south oriented streets and twenty-five (25) from the edge of east-west oriented streets), the maximum height for a structure is one hundred (100) feet.
5. To enable the incorporation of distinct architectural features and improve pedestrian activity at the street level, the height limits of parts 2 and 3 may be exceeded by an additional occupied story within the step-back areas set out in parts 2 and 3 and occupied or unoccupied architectural features along the right-of-way may exceed the height limits of parts 2 and 3 upon findings by the Board of Architectural Review that:
  - a. The sidewalks widths along all streets abutting the project are widened by at least three (3) feet; and
  - b. At least seventy-five (75) percent of the ground floor street frontages is devoted to non-residential use; and
  - c. If applicable, the additional story and its proposed location in the step-back areas prescribed by parts 2 and 3 enhance the architectural approach of the project; and
  - d. If applicable, proposed architectural features along the right-of-way that exceed the height limits of parts 2 and 3 enhance the architectural approach of the project and do not constitute, in the aggregate, more than twenty (20) percent of the square footage of the footprint of the structure at the street level.

**Sec. 54-306.O.P. - Height District 80/30**

In this district:



1. No structure, including appurtenant parts of a structure except for elevator penthouses, or mechanical penthouses, shall exceed a height of eighty (80) feet nor shall any structure fronting on any street be lower than the height of thirty (30) feet.
2. All portions of a structure above the fifty-five (55) foot level shall be set back at least twenty-five (25) feet from all street right-of-way lines.

**Sec. 54-306. ~~P.Q.~~ - Height District 50W**

In this district:

1. No structure shall exceed a height of fifty feet (50').
2. All structures shall be set back from the high water mark a minimum of twenty-five feet (25'), except that water-dependent structures shall be allowed to encroach on the twenty-five foot (25') setback.
3. All structures shall be set back from the high water mark of manmade canals a minimum of ten feet (10'), except that water-dependent structures shall be allowed to encroach on the ten foot (10') setback.

**Sec. 54-306. ~~Q.R.~~ - Height District W**

In this district:

1. No structure shall be nearer to the nearest right-of-way lines of the street on which it fronts than a distance equal to the height of the building.
2. The ground coverage of all structures on a lot shall not exceed twenty-five (25) percent of the lot area; "ground coverage" being defined as the sum of the areas of the largest floors in each building.
3. No structure shall be nearer to an interior property line or side street right-of-way line than a distance equal to one-half-the height of the building.

**Sec. 54-306. ~~R.S.~~ - Height District WP**

In this district:

1. No structure shall exceed the height of sixty (60) feet.
2. The ground coverage of all structures on a lot shall not exceed twenty-five (25) percent of the lot area; "ground coverage" being defined as the sum of the areas of the largest floor in each building. Ground coverage shall not include paved parking areas or staging areas.

**Sec. 54-306. ~~S.T.~~ - Height District 56/30 V**

In this district:

1. FEMA Velocity Zone regulations impose significant restrictions on the developable volume of properties that fall within its influence, and are particularly restrictive regarding street-level development. The success of the traditional urban fabric of Charleston is highly dependent upon the activation of the public realm, and street-level uses are a key element of this activity. The 56/30V Height District is intended to encourage a continuation of Charleston's urban traditions by providing incentive for development of street-level activity within FEMA Velocity Zones.
2. No part of a structure shall exceed the height of fifty-six (56) feet unless permitted as a result of the following clauses, nor shall any principal structure be lower than thirty (30) feet.
3. Allowances for additional enclosed habitable space above fifty-six (56) feet but not to exceed a height of seventy (70) feet shall be permitted when the development in question provides for contributory occupation of the ground floor at the street frontage(s) of the property. Such contributory occupation must be designed to abide by FEMA requirements for development in Velocity Zones as approved by the city's Floodplain Administrator. For every square foot of approved contributory occupation of the ground floor, the development will be permitted an equivalent square foot of habitable space above fifty-six (56) feet, up to a limit of 25 percent of the total rooftop area. Contributory occupation is defined as any activity that is deemed by the Zoning Administrator to be consistent with and supportive of the goal of street-level activation within the FEMA V-Zone. Such activity might include, but is not limited to: outdoor dining (covered or open-air), temporary shops or merchant stands; manned vending carts; green spaces (physically open to the sky); building access stairs or lobbies, storefront displays, etc. In addition, the areas dedicated to contributory occupation must be located with a majority of its frontage on the street or public sidewalk, and must be specifically designed to support contributory occupation. Under no circumstances will parking, *mechanical* or storage areas be considered contributory occupation.
4. Allowances for additional height above fifty-six (56) feet but not to exceed seventy (70) feet may be permitted for architectural features such as parapets, towers, pergolas, or other roof elements, and mechanical rooms, elevator penthouses and stair towers. Mechanical rooms, elevator penthouses and stair towers must be designed as integrated architectural elements. The design of such features is further limited as follows: they shall not contain enclosed habitable spaces (unless such habitable spaces are permitted as a result of the previous clause); the total rooftop occupation (including allowed enclosed habitable spaces and uninhabitable architectural features) shall not exceed 50 percent of the total rooftop area; the existence and design of any such features is subject to review and approval of the Board of Architectural Review.
5. ~~Notwithstanding the above, no portion of a structure, which structure is within fifty (50) feet of an existing building rated "exceptional" (Group 1) or "excellent" (Group 2) on the Historic Architecture Inventory adopted by Section 54-235 shall exceed the height of such existing building unless approved by the Board of Architectural Review.~~

**Sec. 54-306.T.U. - Height District 120/30**

In this district:

1. No structure, including appurtenant parts of a structure, except for elevator penthouses, or mechanical penthouses, shall exceed a height of one hundred twenty (120) feet nor shall any structure fronting on any street be lower than the height of thirty (30) feet.
2. All portions of a structure above the seventy (70) foot height level shall set back at least thirty (30) feet from all street right-of-way lines.
3. All principal structures fifty (50) feet or less in height shall have no set back from street right-of-way lines, subject to provisions of Article 3: Part 10; except such structures may be set back from street right-of-way a distance no greater than the least such set back of the two adjoining buildings on either side.
4. ~~Notwithstanding the above, no portion of a structure, which structure is within fifty (50) feet of an existing building rated "exceptional" (Group 1) or "excellent" (Group 2) on the Historic Architecture Inventory adopted by Section 54-235 shall exceed the height of such existing buildings unless approved by the Board of Architectural Review.~~

**Sec. 54-306.U.V. - Height District 55/30 S**

In this district:

1. No part of a structure shall exceed the height of fifty-five (55) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All structures shall have no minimum set back from street right-of-way lines, subject to provisions of Article 3: Part 10.

**Sec. 54-306.V.W. - Height District 55/30**

In this district:

1. No part of a structure shall exceed the height of fifty-five (55) feet, nor shall the principal structure be lower than thirty (30) feet.
2. All structures shall have no set back from street right-of-way lines, subject to provisions of Article 3: Part 10.

Sec. 54 306.X. - Height District Chart

<b>Charleston Height Districts</b>			
<b>Height District</b>	<b>Min/Max Floor to Floor Height by Use (ft)</b>		<b>Old HD's</b>
<b>2.5</b>	Res: 10ft / 12ft		35
<b>3 (3.5)</b>	Res: 10ft / 12ft	Ground Floor Non-Res: 12ft / 14ft	50/25, 55/30
<b>3.5 (4)</b>	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	50/25, 55/30
<b>4</b>	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	50/25, 55/30, 80/30
<b>5</b>	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	55/30
<b>6</b>	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	55/30
<b>7</b>	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	
<b>8</b>	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	80/30, 100/30
<b>2.5/3*</b>	Res: 10ft / 12ft	Ground Floor Non-Res: 12ft / 14ft	50/25
<b>4/12*</b>	Res: 10ft / 12ft	Non-Res: 12ft / 14ft Ground Floor Non-Res: 16ft / 20ft	55/30

\*: The 2.5/3 district is not eligible for height re-zonings as it is a specific, map based height district. Building heights in this district may be restricted by street right-of-way.

\*: The 4/12 district is not eligible for height re-zonings as it is a tied to the Upper Peninsula zoning district.

Section 2. This Ordinance shall become effective upon ratification.

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

\_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council