City Council Meeting
Tuesday October 8th, 2019

Work Session 6:00 P.M.
Regular Meeting 7:00 P.M.
Folly Beach City Hall
21 Center Street
Folly Beach, SC 29439

Work Session Agenda 6:00PM

a. Commercial Parking Lots
b. Water Utility Referendum Overview
c. Mooring Rules and Derelict Vessel Draft Ordinance
d. Investment Funds
e. Boards and Commission Training: October 16

Regular Meeting Agenda 7:00PM

1. CALL TO ORDER/ROLL CALL
2. INVOCATION & PLEDGE OF ALLEGIANCE
3. MAYOR’S COMMENTS
   a. National Medal of Honor Heritage Foundation
4. STAFF REPORTS
   a. Lutz: Hazard Mitigation Plan Update

5. APPROVAL OF AGENDA

6. APPROVAL OF PREVIOUS MINUTES OF SEPTEMBER 10th

7. PERSONAL APPEARANCES (Limited to Five Minutes)
   a. Kryssy Cirarlo: Requesting permission for Cupid's Undie Run on February 15th, 2020 from 9:00am-5:00pm.
   b. Folly Beach Association of Business: Requesting permission for the following events:
      • New Year's Eve Fireworks on December 31st, 2019 from 12:00pm (set up) – 3:00am (takedown finished) beach side at 300 West Arctic Avenue.
      • Taste of Folly on January 18th, 2020 with an alternate date of January 25th, 2020 from 7:00am (set up)-6:30pm (takedown finished).
      • Sea & Sand Festival on September 19th, 2020 with an alternate date of September 26th, 2020 from 7:00 am (set up) – 6:30pm (takedown finished).
      • Follypalooza on October 17th, 2020 with an alternate date of October 24th, 2020 from 7:00am (set up) – 6:30pm (takedown finished).

8. CITIZENS’ COMMENTS (Limited to Three Minutes)

9. COMMISSION, BOARD, COMMITTEE REPORTS

10. OLD BUSINESS
    a. Ordinance 30-19: An Ordinance Amending Chapter 111 (Alcoholic Beverages) of the Folly Beach Code of Ordinances by Amending Section 111.04 (Possession and Consumption) to Prohibit Glassware in Special Events. (SECOND READING)

11. NEW BUSINESS
    a. Ordinance 31-19: An Ordinance Amending Title XI (Business Regulations) of the Folly Beach Code of Ordinances by Amending Sections 110.37 (Class 8 Rates) to Create a New Class 8 Rate for Short Term Rentals and Raise the Base Fee by $100 to Offset the Reduction of the Rental Registration Fee. (FIRST READING)
    b. Ordinance 32-19: An Ordinance Amending Title XI (Business Regulations) of the Folly Beach Code of Ordinances by Amending Sections 117.02 (License, Registration, and Tax Requirements) to Eliminate the fee for Rental Registration to Offset the Increase in the Base Rate for Short Term Rental Licenses. (FIRST READING)
    c. Ordinance 33-19: An Ordinance Amending Chapter 164 (Use Standards) Section 164.03-03 (Commercial Uses) by Requiring new Commercial Parking
Lots to Meet the Landscaping Requirements for Parking Areas and Establishing a Five-Year Grace Period for Existing Non-Conforming Parking uses to come into Compliance. **(REMAND TO PLANNING COMMISION)**

d. **Resolution 56-19**: A Resolution Awarding $700 to Waves 4 Women for Surf Boards by Recommendation of the Community Promotions Committee.

e. **Resolution 57-19**: A Resolution by the Folly Beach City Council Supporting Compliance with all Federal and State Safety Regulations.

12. CITY COUNCIL COMMENTS

13. ADJOURNMENT

**PUBLIC NOTICE**

**ALL MEDIA WERE NOTIFIED PURSUANT TO STATE LAW**

City Council will not vote on matters discussed during Work Sessions or Executive Sessions. However, matters discussed may be voted on during the evening City Council meeting.

In keeping with the Americans with Disabilities Act, persons needing assistance, alternative formats, ASL interpretation, or other accommodation, please contact the Municipal Clerk at 843-513-1833 during regular business hours at least 24 hours prior to the meeting. Hearing devices are available upon request for those with hearing difficulties.

The City of Folly Beach, in an effort to go green, will no longer have the Ordinances and Resolutions included in the Agenda. Citizens interested in having a copy, please see the Municipal Clerk.
Work Session
Back Up
Memo: Commercial Parking Lots
Date: October 8th, 2019

Mayor/Council

As the Planning Commission works through the Comprehensive Update, we are taking a look at some of the goals that we have yet to achieve with 5 years left to go. One of the bigger ones is to create beautification standards for commercial parking lots. This month staff is proposing what we feel is the simplest/quickest ways to start this project.

The primary goal of this ordinance would be to trigger detailed landscaping requirements for large parking lots if a new parking lot starts to operate. We have standards in place already, but either the parking areas haven’t been big enough or (for all of the lots that are only parking) the use was preexisting. These rules are copied below. At first glance, there are a lot of requirements. However, a good number of them would only apply to large lots like at the Harris Teeter. Our on-island parking lots would generally only be required to construct end of the aisle landscaped areas and perimeter landscaping as highlighted below.

The second goal (which we need direction from Council on) would be to require any existing commercial parking lot to meet these standards prior to 2025. That would give them the remaining 5 years of the Comp Plan to come into compliance. It would spread the cost of improvements over 5 years and hopefully that would be enough time for them to save and plan without being a huge financial hit.

We look forward to hearing your thoughts at the work session.

§ 166.02-05 Vehicular Use Area Landscaping.
   (A) Interior landscaping standards.
      (1) Applicability. Except for single-and two-family residential uses, the standards in this subsection shall apply to all surface parking lots with five or more parking spaces.
      (2) General interior landscaping standards. All parking lots shall provide and maintain landscaped planting areas within the interior of the parking lot. These standards shall not apply to parking structures or vehicle display areas.
      (3) Size. Each planting area shall contain minimum areas in accordance with § 166.02-05(4), Design, and in all instances, the planting area shall be adequate to accommodate the root growth of the plant material used. The size of the planting area and size of plant material at maturity shall allow for a two-and-one-half foot bumper overhang from the face of the curb.
      (4) Design. Interior planting areas shall be designed within parking areas as:
         (a) Islands located at the end of parking bays, with a minimum size of 135 square feet for single loaded parking rows, and a minimum size of 270 square feet for double loaded bays;
(b) Islands located mid-way in parking bays with 40 or more spaces such that no more than 15 spaces shall be located in a continuous row without being interrupted by a landscaped island with a minimum size of 135 square feet for single loaded bays and 270 square feet for double loaded bays.

(c) Islands located at least every four parallel rows of cars;

(d) Islands used to visually separate parking areas and accommodate required pedestrian pathways in surface parking lots with 500 or more parking spaces;

(e) Driveway medians shall have a minimum width of four feet for medians with shrubs, six feet for medians with shrubs and understory trees and nine feet for medians with canopy deciduous or evergreen trees.

(5) Planting rates. Each interior planting area shall contain trees and shrubs at the following rates:

   (a) Trees shall be required at the minimum rate of two caliper inches of canopy tree for every 2,000 square feet, or portion thereof, of the total vehicular use area, except for location directly under overhead utilities, where understory trees may be substituted for canopy trees; This equals 6 trees on a full sized lot

   (b) Large shrubs shall be required at the minimum rate of one shrub per every 500 square feet, or portion thereof, of the total parking lot area; this equals approximately 21 shrubs on a full sized lot

   (c) As a general guide, one tree island should be located at approximately 15 space intervals, in accordance with § 166.02-05(4), Design;

   (d) No parking space shall be separated from the trunk of a shade or canopy tree by more than 60 feet (perimeter vehicular use area landscaping or other required landscaping may be used to meet this requirement); and

   (e) All landscape planting areas shall be stabilized and maintained with ground covers, mulches, or other approved materials to prevent soil erosion and allow rainwater infiltration.

(6) Screened backfill. Soil utilized in parking lot islands, driveway medians, and other areas internal to a vehicular use area shall be screened prior to deposition in planting areas.

(7) Distribution. Landscaped planting areas shall be distributed throughout the parking area for the purpose of heat abatement.

(8) Protection of planting areas. All planting areas shall be protected from vehicle damage by the installation of curbing, wheel stops, or other comparable methods.

(B) Perimeter landscaping standards. In addition to the interior vehicular use area landscaping standards set forth in § 166.02-05(A), Interior Landscaping Standards, vehicular use areas shall be screened from view of public streets and adjacent residential uses. Where a vehicular use area abuts a street right-of-way, vacant land within a residential district, or existing residential development, the following standards shall apply:

   (1) Continuous visual screen. Perimeter landscaping for vehicular use areas shall form a continuous visual screen, excluding required sight clearances at driveways.

   (2) Minimum width.
(a) The minimum average width for any perimeter landscaping strip shall be ten feet measured at ten-foot intervals along the property lines, with the minimum width for any perimeter landscaping strip being five feet.

(b) The perimeter landscaping strip shall be protected from vehicular intrusion by the installation of curbing, wheel stops, extra width in the buffer yard, or other comparable methods approved by the Zoning Administrator.

(3) Location. Perimeter landscape strips for screening vehicular use areas shall be located on the lot, and shall be placed to assure visibility and safety of pedestrians on the public street, as well as those within the vehicular use area.

(4) Minimum height. Plant materials shall be maintained at a minimum height of four feet above the surface elevation of the adjacent vehicular use area, provided the installation meets all state and federal highway sight distance standards.

(5) Required materials.

(a) Evergreen shrubs shall be used to form the continuous visual screen in the perimeter landscaping strip.

(b) In addition to the evergreen shrub requirements, each perimeter landscaping strip shall include at least eight aggregate caliper inches (ACI) of canopy or understory trees per every 100 linear feet of landscaping strip. On a full size lot this would require up to 60 (2inch) trees.

(6) Adjacent to perimeter buffers. Perimeter landscape strips may be credited towards perimeter buffer (See § 166.02-06) standards provided that the minimum standards of this landscaping strip width requirements subsection are maintained.

Aaron Pope, AICP
Deputy Administrator/Zoning Administrator
City of Folly Beach
843-276-5568   apope@cityoffollybeach.com
AN ORDINANCE AMENDING CHAPTER 164 (USE STANDARDS) SECTION 164.03-03
(COMMERCIAL USES) BY REQUIRING NEW COMMERCIAL PARKING LOTS TO MEET THE
LANDSCAPING REQUIREMENTS FOR PARKING AREAS AND ESTABLISHING A FIVE-YEAR
GRACE PERIOD FOR EXISTING NON-CONFORMING PARKING USES TO COME INTO
COMPLIANCE.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that the Folly Beach Code of Ordinance be amended as follows:

NOTE: Deleted material struck through, new material shown in red,

SECTION 164.03-03 COMMERCIAL USES.

(A) Day care. All day care facilities are permitted subject to the following standards:

   (1) Day care facilities shall comply with all applicable state regulations.

   (2) A day care facility operated by, and located on the site of, a religious institution may be allowed as an accessory use only if found to be compatible with adjacent areas in terms of hours of operation, noise, lighting, parking, and similar considerations.

   (3) In the DC District, day care facilities shall not exceed a gross floor area of 1,000 square feet, and shall provide services primarily to the surrounding neighborhood.

(B) Commercial parking. Any exchange of compensation for parking shall be considered a commercial parking use and shall:

   (1) Not be permitted in any residential district of the city;

   (2) Limit street frontage in the DC District to 100 feet.

(C) Retail sales and service.

   (1) Bar, nightclub or similar establishment.

      (a) Such use shall comply with the location standards established by the State of South Carolina.

      (b) Hours of operation shall be limited to the time frame between 12:00 noon and 2:00 a.m.
(2) *Adult entertainment establishment.* To protect the community from the adverse effects of having activities and standards involving pandering to gross sexuality imposed on them, none of the following uses shall be permitted in any district unless a special exception permit § 162.03-03, is obtained. The requirement for a special exception permit shall be in addition to all other applicable ordinances.

(a) Book sales and magazines sales, where either the advertising or the displays or signs in or out of the location offer written materials showing specified sexual activities or specified anatomical areas (this does not apply to the availability for sale of any material displayed in a way that only the name of the book or magazine appears);

(b) Movie theaters offering movies or other displays showing specified sexual activities or specified anatomical areas;

(c) Any type theater or establishment offering any kind of show emphasizing specified sexual activities or specified anatomical areas;

(d) Any coin-operated devices and any place offering coin-operated devices which show specified sexual activities or specified anatomical areas; and

(e) Any cabaret, club or tavern offering any entertainment showing specified sexual activities or specified anatomical areas.

(3) *Retail Type I, Type II, and Type III.*

(a) Type I retail uses shall not exceed 2,500 square feet of gross floor area per individual use or establishment.

(b) Type II retail uses shall not exceed 5,000 square feet of gross floor area per individual use or establishment.

(4) *Retail/service use with gasoline sales.*

(a) *Convenience stores.*

1. Gasoline pumps, canopies, and associated service areas are prohibited in any established front yard. All pumps and canopies shall be located to the rear of the building.

2. All exterior lighting for the building, parking area, gas islands, and canopies shall be configured so that the source of illumination is not visible from off-site areas.

3. Drive-through windows, stacking lanes, and circulation shall be prohibited in the front of the building or in a side yard abutting a street.

4. Trash containers shall be fully screened by a wall that is constructed of the same material as the principal structure. Trash containers shall be located so as to minimize their visibility from adjacent public streets or other public gathering areas.
5. A wall, fence, or hedge with a minimum height of three feet shall be installed along any street frontage adjacent to any parking or vehicular use area. Such hedges, walls, or fences may be built along property lines or as a continuation of the principal structure’s building wall.

6. Signs attached to the canopy shall not extend beyond the ends or extremities of the fascia of the canopy to which or on which they are attached.

(D) Self storage. Self storage uses shall comply with the following standards:

(1) The minimum lot area shall be least two acres.

(2) The only commercial uses permitted on site shall be the rental of storage bays and the pickup and deposit of goods or property in dead storage.

(3) Storage bays shall not be used to manufacture, fabricate, or process goods; service or repair vehicles, small engines or electrical equipment, or to conduct similar repair activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on the site.

(4) No more than one security or caretaker quarters may be developed on the site.

(5) Individual storage bays or private postal boxes within a self-service storage facility use shall not be considered premises for the purpose of assigning a legal address.

(6) Except as provided in this subsection, all property stored on the site shall be entirely within enclosed buildings.

(7) Open storage of recreational vehicles, travel trailers, and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:

(a) The storage shall occur only within a designated area, which shall be clearly delineated;

(b) The storage area shall not exceed 25% of the buildable area of the site;

(c) Outdoor storage areas shall be located to the rear of the principal structure and be screened with a wooden fence or masonry wall no less than eight feet in height;

(d) Storage shall not occur within the area set aside for minimum building setbacks;

(e) No dry stacking of boats shall be permitted on site; and

(f) No vehicle maintenance, washing, or repair shall be permitted.

(E) Outdoor storage. Outdoor storage uses (as a principal use) shall:

(1) Be screened with a wooden fence or masonry wall no less than eight feet in height in accordance with § 166.09, Fences and Walls. The height of materials and equipment stored shall not exceed the height of the screening fence or wall; and
(2) Not allow customer or vehicular circulation to occur through the area used for outdoor storage.

(F) Tourist accommodations.

(1) Bed and breakfast. Bed and breakfast establishments shall comply with the following standards:

(a) Bed and breakfasts shall obtain a business license prior to operation;

(b) The bed and breakfast shall be accessory to the structure’s principal use as a dwelling, and the operators shall permanently reside on the premises;

(c) The structure shall maintain an exterior appearance that is in character with surrounding residential uses;

(d) A maximum of four sleeping rooms may be available for transient occupancy, and in no event shall a sleeping room be occupied by a guest for more than seven consecutive days;

(e) Cooking facilities shall not be permitted within individual sleeping rooms, and food may be served only to overnight guests;

(f) Each sleeping room shall be served by a separate smoke detector and shall include a graphic depiction of a fire escape plan;

(g) Common dining or gathering areas shall not be leased for social events;

(h) All off-street parking areas for the use shall be on the site, located within side or rear yard areas, screened in accordance with this ZDO, and shall not include exterior lighting mounted higher than six feet above grade; and

(i) Bed and breakfast inns shall not be located within 200 feet of another bed and breakfast inn or group living facility.

(2) Hotels, motels, and inns.

(a) Individual hotel or motel establishments shall be limited to a maximum number of ten guest sleeping rooms per establishment.

(b) Hotels, motels, and inns shall not be located within 200 feet of another tourist accommodation or group living facility.

(G) Outdoor retailers. Outdoor retailers shall comply with the following standards:

(1) Outdoor retailers shall operate only on lots that have frontage on Center Street, East Ashley Avenue, and East Arctic Avenue in the Downtown Commercial or Island Commercial Zoning Districts.
(2) The property on which the business will be operated contains adequate space to support the proposed outdoor retail sales without encroaching into or creating a negative impact on existing buffers, landscaping, or traffic movements.

(3) A lot may have one outdoor retailer at a time per 2625 square feet. Multiple retailers may occupy the same lot, but at no time can the number of retailers operating exceed the maximum number allowed on the lot.

(4) If there is more than one outdoor retailer on a lot, the space used by each outdoor retailer must be at least five feet away from any part of the space being used by any other outdoor retailer.

(5) The business will be located so as not to interfere with the normal operation of any other permitted use of the property.

(6) The business will not cause interference with the movement of vehicular or pedestrian traffic to such an extent that adequate police, fire, or other emergency services cannot be provided.

(7) The hours of operation of the business will be from no earlier than 7:30 a.m. to no later than 10:00 p.m., except for food and beverage sales.

(8) No business activity shall occur on a street, sidewalk, right-of-way, beach or other public property or interfere with the public's use of such public property unless the business has a franchise from the city or is being operated as part of a special event regulated by Ch. 153, Special Events, etc.

(9) The business shall pick up, remove, and properly dispose of all trash or refuse created by the business as often as needed and at the end of business hours.

(10) The business shall not change locations within the City without prior notice to and permission from the city.

(11) The business shall comply with all other applicable provisions of the Folly Beach Code of Ordinances and the laws and regulations of South Carolina and the United States.

(12) Outdoor retailers located in the Island Commercial (IC) Zoning District shall be located only in commercial parking lots with more than ten spaces.

(13) No more than one outdoor retailer shall operate in any commercial parking lot located in the IC Zoning District.

(14) All aspects of an outdoor retailer business must be adequately secured against windstorms or be capable of being moved to a secure place quickly when a windstorm is approaching. In addition, an outdoor retailer business must be capable of being moved within 24 hours of getting notice from the city of an approaching tropical storm or hurricane.

(H) Commercial parking.
(1) All commercial parking lots shall meet the landscaping standards of Section 166.02-05 Vehicular Use Area Landscaping.

(2) Any commercial parking use made non-conforming by this section shall be grandfathered for a period of five years from the date of passage.

(Ord. 05-10, passed 3-23-10; Am. Ord. 34-12, passed 3-12-13; Am. Ord. 03-13, passed 4-9-13; Am. Ord. 30-17, passed 10-10-17; Am. Ord. 13-18, passed 12-4-18)

ADOPTED this ___ day of ____________, 2019, at Folly Beach, South Carolina.

Ayes: _____  Nays: _____  Abstains: _______

__________________________  ________________________
Municipal Clerk  Tim Goodwin, Mayor
§ 134.50 AUTHORITY
Any subdivision of this state may, at any time, but only after three days' public notice, make formal application to the department for special rules and regulations with reference to the operation of vessels on any waters within its territorial limits and shall set forth therein the reasons which make such special rules and regulations necessary or appropriate. (SC Code 50-21-30)

§ 134.51 DEFINITIONS.
For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED BOATS. “Abandon” or “abandoned” means any watercraft that has been moored, stranded, wrecked, sinking, or sunk, and has been left unattended for longer than forty-five days. A water craft is not abandoned if it is legally moored on private property. (SC Code 50-21-10)

BOAT or VESSEL. Every description of watercraft used or capable of being used as a means of transportation on the water, except a seaplane or a fishing raft. (SC Code 50-21-10)

DERELICT VESSEL means a vessel that has been left unattended and is in significant disrepair, such that the condition may affect the seaworthiness of the vessel or affect the safety of the public or the environment. (Brunswick County, NC)

PERSON means an individual, a partnership, a firm, a corporation, an association, or other legal entity. (SC Code 50-21-10)

PUBLIC SAFETY means the Folly Beach Department of Public Safety.

§ 134.53 DERELICT AND ABANDONED VESSELS PROHIBITED
(A) It shall be unlawful to anchor, moor or ground on the public land or waters of this City or on private property without permission of the property owner, any derelict vessel. Indicators that a vessel is derelict, include but are not limited to, the following:
1) Improper, non-working, or no anchor light, which is a hazard to navigation;
2) Vessel is neglected, or substantially dismantled, or improperly maintained, or is not able to be used for navigation as intended;
3) Vessel does not comply with current registration requirements;
4) Vessel is barnacle-laden;
5) Vessel interior is exposed to the elements (rain, waves, etc.);
6) Vessel is listing;
7) Vessel is aground;
8) Vessel is in danger of breaking its mooring;
9) Vessel is sinking;
10) Vessel is abandoned; or
11) Vessel fails to display a City of Folly Beach permit as required in § 134.54.

(Brunswick County, NC)

(B) Pursuant to S.C. Code 50-21-190 it is unlawful to abandon a watercraft or outboard motor on the public land or waters of this state or the city or on private property without permission of the property owner. This section does not apply to persons who abandon a watercraft in an emergency for the safety of the person onboard; however, after the emergency is over, the owner and operator of the abandoned watercraft shall make a bona fide attempt to recover the watercraft.

§ 134.54 PERMIT REQUIRED TO MOOR OR ANCHOR WITHIN TERRITORIAL LIMITS OF THE CITY OF FOLLY BEACH

(A) Persons mooring or anchoring a vessel overnight within the territorial boundaries of the City of Folly Beach must obtain and be in possession of an anchorage permit. Permits may be obtained at Folly Beach Public Safety 24 hours a day, 7 days a week. There is no cost for a permit, however the owner must present:
1) Proof of ownership;
2) Proof of current insurance;
3) Proof of current state or Coast Guard registration;
4) Name, address, and phone number of a local contact who can respond and has authority to take action on a vessel within 24 hours if called by Public Safety;
5) Description mooring technique, and explanation of its adequacy for the location;
6) Attestation that the vessel is neither derelict nor abandoned.
A current City of Folly Beach permit must be conspicuously displayed on the exterior of the vessel. Permits expire unless renewed every 60 days.

(B) A permit may be revoked if:
1) The vessel is moored or anchored in an unauthorized area or in a marked channel;
2) The vessel displays no evidence of current state, federal, or foreign registration, a current permit, or other official documentation of ownership if requested by Public Safety.
3) Vessel is neglected, or substantially dismantled, or improperly maintained, or is not able to be used for navigation as intended;
4) Vessel is listing, aground, sinking, in danger of breaking its mooring, or otherwise unsuccessfully moored.
5) If the local contact is called by Public Safety and does not respond within 24 hours
6) The vessel is slept on but is not equipped with a holding tank or the owner or operator fails to provide Public Safety with receipts for regular weekly pump outs of the vessel's holding tank upon request;
7) Public Safety officers have responded to complaints of excessive noise, thefts, firearms violations, controlled substance violations, or other disturbances of possible danger to the environment or any person, emanating from the vessel or its crew;
8) The vessel is at any time within one mile of any public boat landing or public bridge or 100 feet of any other legally anchored vessel; any private, properly permitted mooring; or any private, properly permitted dock or marina without the written permission of the owner.
9) The vessel does not display proper anchor lights;
10) If Department of Natural Resources, Department of Health and Environmental Control, or the Director of Public Safety determines there are safety-related or environmental reasons for denying permission during a particular period of time, or in a particular place, or in a particular manner.

(Beaufort, NC)

(C) If a Person’s permit has been revoked twice, an additional permit shall not be granted for a period of one year.

(D) Within four hours of a hurricane warning being declared, each vessel operator shall secure their vessel to prevent the vessel, and/or its parts or contents from damaging the property of others.

(Beaufort, NC)

(E) This section does not apply to the following:
   1) A vessel docked at a private recreational dock or a non-eligible facility so long as such vessel is not utilized as a live-aboard vessel;
   2) A vessel seeking safe harbor from dangerous weather or in the event of mechanical failure for up to seven days; or
   3) A vessel anchored while actively engaged in fishing.

(Georgia State Draft Regulation)

§ 134.55 ADMINISTRATION AND ENFORCEMENT.
A. Administration. The administration and enforcement of the provisions of this chapter shall be vested in the City of Folly Beach Public Safety Department. City Public Safety Officers shall have the authority to board any vessel subject to the provisions of this chapter or to any applicable rule or regulation for the purpose of inspection or determining compliance
and are empowered to issue a summons for appearance in court or make arrest for violations of this chapter or the rules and regulations prescribed thereunder. (Charleston, SC)

B. When necessary, the Department of Public Safety may act or may join in action with other agencies to determine and abate any unsafe or environmentally hazardous conditions, by towing, relocating, removing any vessel, or taking any other action reasonably necessary. (Beaufort, NC)

C. Public Safety shall post conspicuous notice on any vessels that are in violation of permit conditions, or that have an expired permit. Public Safety shall then continue to monitor the violating vessel until ten days have elapsed from the date of the posting. If the person in control of the vessel returns, or contacts Public Safety, and abates the violation within that time, no further actions, other than payment of accrued fees, need to be taken. (Beaufort, NC)

D. If the owner of any unattended vessel anchored, moored docked or stored in City waters fails to respond to notices or pay fines and fees as required by this section for more than ten days from the posting, the vessel may be taken into custody by the Department of Public Safety and stored in a safe place of storage. (Beaufort, NC)

E. The owner shall be responsible for the costs of towing and storage of the vessel. Any vessel towed, removed, relocated or impounded shall be subject to a lien for associated costs. The owner of the vessel may only redeem the vessel from the designated storage area upon payment of costs and fees. (Beaufort, NC)

F. If a vessel is seized and towed, Public Safety shall report the vessel to the Department of Natural Resources for owner notification. If the vessel is deemed abandoned by the Department of Natural Resources, it shall be eligible for removal in accordance with South Carolina state law.

§ 134.99 PENALTY.

A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars ($1,000.00) nor more than five thousand dollars ($5,000.00) or imprisoned up to thirty (30) days, or both. In addition, the owner must remove the abandoned watercraft within fourteen (14) days of conviction. The City municipal court is vested with jurisdiction for cases arising under this section. (Charleston, SC)
October 9, 2019

Robert H. Boyles, Jr.
Interim Director
South Carolina Department of Natural Resources
1000 Assembly Street
Columbia, SC 29201

Dear Mr. Boyles:

Pursuant to S.C. Code 50-21-30, which allows municipalities to apply for special rules and regulations, I am writing to request the Department consider the enclosed ordinance in reference to the operation and mooring of vessels within the territorial limits of the City of Folly Beach.

We believe the only way we can protect our beautiful waterways, ensure navigational safety, and save tax dollars is to put local rules in place to ensure responsible mooring. The City of Folly Beach has been working on the issue of abandoned vessels for over a decade. In 2008, we identified and removed 16 derelict vessels. Now again in 2019, through a federal grant secured in cooperation with OCRM, we removed another 14 derelict vessels. Each vessel costs $8,000-$20,000 to remove, with increased costs the longer the boat is aground or submerged. We cannot continue to use local, state, or federal tax dollars to clean abandoned private property from our public creeks, rivers, and marshes.

The enclosed proposed ordinance is based on concepts from the City of Charleston and our neighboring states of North Carolina and Georgia. Where a section is directly taken from another ordinance, we have attributed it in red. The ordinance proposes to create a local permit for mooring within the territorial limits of the City of Folly Beach. We do not propose a fee for the permit and our goal is not to discourage mooring, only to ensure responsible use of the waterways. The permit could be revoked if the vessel becomes derelict or dangerous, or if the vessel is moored too near a public boat landing or bridge. If the condition is not remedied, the ordinance
gives the City authority to seize and tow vessels in violation of the ordinance for more than 10 days. Finally, we are requesting permission to establish an area to hold seized vessels while awaiting the owner to remedy a problem or awaiting the state’s process to declare a vessel abandoned. We believe it is critical to keep these boats away from navigational channels and in shallow water to reduce the risk of it submerging, leaking, or running aground. Our City Department of Public Safety has the marine resources to enforce this ordinance. Upon approval of the ordinance, the City of Folly Beach would post conspicuous notice on our territorial limits and would work with a licensed marine service if and when towing becomes necessary.

As these two surrounding coastal states continue to refine their rules on derelict and abandoned vessels, we believe South Carolina’s problems could intensify. We hope this proposal could be a pilot for other South Carolina communities struggling to avoid becoming the east coast’s derelict dumping ground. We welcome the opportunity to meet or discuss our proposed rules and look forward to working together on this vital issue.

Sincerely,

Mayor Tim Goodwin
City of Folly Beach

cc:
Senator George E. “Chip” Campsen, III
Senator Sandra J. “Sandy” Senn
Representative Peter M. McCoy, Jr.
Representative Leonidas E. “Leon” Stavrinakis
Regular Meeting
Back Up
Report: City of Folly Beach as a participating jurisdiction took part with Charleston County Building Inspection Services in updating the Charleston Regional Hazard Mitigation Plan to reflect changes from the 2019 year. Charleston County Building Inspection Services undertook the following steps when updating the plan:

1. Consulted the NOAA Storm Events Database, Charleston County Consolidated 9-1-1, SC DNR, SC Forestry Commission, SC DHEC, and US Drought Monitor for records of hazard incidents occurring since last year’s update.
2. Requested all participating jurisdictions (31) submit a new response for the public information survey.
3. Requested all participating jurisdictions (31) to update their action plans to reflect any modifications, deletions, or insertions since the last Hazard Mitigation Plan update.
4. Updated figures and tables as needed to reflect new data on critical facilities, repetitive loss properties, etc.
5. Re-organized the plan according to FEMA-issued feedback.

By participating in the CRS program, the CRS Coordinator is required to notify City Council of the 2019 annual update to the Charleston Regional Hazard Mitigation Plan. No action is required at this time. The full plan can be viewed online at the Charleston County Building Services homepage https://www.charlestoncounty.org/departments/building-inspection-services/hazard-mitigation-plan.php

POC: Eric Lutz, Building Official and CRS Coordinator elutz@cityoffollybeach.com
10-8-2019
Which best describes your event? Select all that apply.

- Races, runs, and walks

<table>
<thead>
<tr>
<th>Organizing Person or Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kryssy Ciarlo</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Organizer's Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 Fenwick Hall Allee</td>
</tr>
<tr>
<td>Johns Island, South Carolina 29455</td>
</tr>
<tr>
<td>United States</td>
</tr>
<tr>
<td>Map It</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>(860) 280-5900</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cell Phone (must be available during event)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(860) 280-5900</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:charleston@cupids.org">charleston@cupids.org</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Alternate Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ed Iames</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Alternate Contact Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>(484) 354-6613</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/15/2020</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Estimated Beginning Time (including setup)</th>
</tr>
</thead>
<tbody>
<tr>
<td>09:00 am</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Estimated End Time (including breakdown)</th>
</tr>
</thead>
<tbody>
<tr>
<td>05:00 pm</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Event Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loggerhead's Beach Grill</td>
</tr>
<tr>
<td>123 W Ashley Avenue</td>
</tr>
<tr>
<td>United States</td>
</tr>
<tr>
<td>Map It</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Event Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cupid's Undie Run</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Purpose of Event</th>
</tr>
</thead>
</table>


Celebrate fundraising efforts of Participants raised for Children’s Tumor Foundation

**Description of Event**
A fun party at Loggerhead's with a brief (untimed) run in the middle all as a celebration for participants that have fundraised to raise money for research to cure Neurofibromatosis. Folly Beach Public Safety is involved in the coordination of this event.

**Estimated Number of Attendees**
400

**Please describe how your event meets the criteria in Section (B)(1)**
I personally believe this event meet each criteria but it definitely enhances the image of the city as a community that always welcomes events that benefit a great cause. Many of our families that have connected through a Cupid's event had never before met others living with Neurofibromatosis and they are all residents of Charleston area.

**Do you plan to serve (at no charge) alcoholic beverages at the event?**
Yes

**Do you plan to sell alcoholic beverages of any kind during the event?**
Yes

**Please describe how you plan to ensure/enforce that only those of legal drinking age are consuming/purchasing alcohol.**
All participants and volunteers must be 21+. We as an organization check this via volunteers and Loggerhead's also assigns staff to check ID same as business per usual.

**I understand that the issuance of this permit shall in no way affect the enforcement/prosecution of disorderly conduct, public intoxication, or any other City of Folly Beach ordinance or South Carolina Law.**

**By signing, you agree that you have read and will comply with the rules (links above), and will be available at the phone number listed during the event. You are responsible for complying with all city rules and ordinances.**
Which best describes your event? Select all that apply.

- Other events on the beach (sporting events, fund raisers, etc)

<table>
<thead>
<tr>
<th>Organizing Person or Organization</th>
<th>Folly Association of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organizer’s Address</td>
<td>PO Box 1860</td>
</tr>
<tr>
<td></td>
<td>Folly Beach, South Carolina 29439</td>
</tr>
<tr>
<td></td>
<td>United States</td>
</tr>
<tr>
<td></td>
<td><a href="#">Map It</a></td>
</tr>
<tr>
<td>Phone</td>
<td>(843) 323-5607</td>
</tr>
<tr>
<td>Cell Phone (must be available during event)</td>
<td>(843) 323-5607</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:FollyFABEvents@gmail.com">FollyFABEvents@gmail.com</a></td>
</tr>
<tr>
<td>Alternate Contact</td>
<td>Lynn Oliver</td>
</tr>
<tr>
<td>Alternate Contact Phone</td>
<td>(843) 296-7190</td>
</tr>
<tr>
<td>Date of Event</td>
<td>12/31/2019</td>
</tr>
<tr>
<td>Estimated Beginning Time (including setup)</td>
<td>12:00 pm</td>
</tr>
<tr>
<td>Estimated End Time (including breakdown)</td>
<td>03:00 am</td>
</tr>
<tr>
<td>Event Address</td>
<td>Beach side @ 300 West Arctic Avenue</td>
</tr>
<tr>
<td></td>
<td>United States</td>
</tr>
<tr>
<td></td>
<td><a href="#">Map It</a></td>
</tr>
<tr>
<td>Event Name</td>
<td>New Year's Eve Fireworks Display</td>
</tr>
<tr>
<td>Purpose of Event</td>
<td>Fireworks Display to celebrate the New Year</td>
</tr>
<tr>
<td>Description of Event</td>
<td></td>
</tr>
</tbody>
</table>
The fireworks display runs 15 to 20 minutes and is launched beach side at 3rd block west, near the Bath House. Due to the early sunset that day (5:24 PM), request an early setup to take advantage of the daylight. Setup would begin around 12 PM on December 31st includes barricading the site perimeter on the beach (at 210 West beach access & 4th Block West beach access), bath house parking lot, all beach accesses surrounding the site perimeter (3rd block West, 310 West). Pedestrians would be able to enter the beach at 210 West & 4th West to watch the fireworks, the barricades will be placed on the fireworks site side of the access. Firework vendor and security personnel will be on site with the fireworks for the duration. The display itself would begin promptly at 12 AM on 1/1/2020, in coordination with the Flip Flop Drop on Center Street, and last for 15 to 20 minutes depending on the incoming tide (high tide is right before midnight). FAB intends to hire a minimum of nine (9) security personnel to man the fireworks site perimeter starting at dusk until clean up is completed.

FAB requests the assistance of FB Public Safety to block Arctic Avenue between 2nd West & 3rd West at a time that can discussed and determined with the Planning Committee. Also requests the presence of FB Fire Department onsite as seen fit by Public Safety. To help load fireworks on the beach, FAB would also like to request a four wheeler/Humvee or similar vehicle that can help pull the firework trailers on the beach for setup and off the beach following breakdown.

The fireworks vendor is responsible for ensuring all fireworks have been discharged and that no threats remain to pedestrians following the show. At least one member of the crew will stay on Folly Beach overnight to address any issues concerns. A beach sweep will be coordinated for the following morning to remove any remaining debris that was not cleaned up the night before.

### Estimated Number of Attendees

15,000

### Please describe how your event meets the criteria in Section (B)(1)

The annual New Years events on Folly Beach including the Flip Flop Drop, Fireworks Display, and Polar Bear Plunge draw tourists to Folly Beach for the New Years weekend, which benefits the business community, and benefits the city financially via an increase in hospitality tax revenue. The fireworks are free to all and showcase Folly Beach as a New Years destination that is good for the whole family to enjoy. FAB takes extreme caution to ensure that the fireworks do not threaten the environment or endanger wildlife with explicit clean up following the display as well as the next morning for anything that was missed due to lack of lighting.

### Will inflatables, trampolines, mechanical rides, amusement rides, petting zoos or animals be at the event?

No

### Is this event a sporting event?

No

### Do you plan to serve (at no charge) alcoholic beverages at the event?

No

### Do you plan to sell alcoholic beverages of any kind during the event?

No

By signing, you agree that you have read and will comply with the rules (links above), and will be available at the phone number listed during the event. You are responsible for complying with all city rules and ordinances.
**Which best describes your event? Select all that apply.**

- Other events on public property (festivals, cultural, music, parades, etc)

<table>
<thead>
<tr>
<th><strong>Organizer's Address</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>PO Box 1816</td>
</tr>
<tr>
<td>Folly Beach, South Carolina 29439</td>
</tr>
<tr>
<td>Map It</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Phone</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(843) 323-5607</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Cell Phone (must be available during event)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(843) 323-5607</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Email</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:FollyFABevents@gmail.com">FollyFABevents@gmail.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Alternate Contact</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Steve Carroll</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Alternate Contact Phone</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(843) 224-7243</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Date of Event</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>01/18/2020</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Alternate Date</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>01/25/2020</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Estimated Beginning Time (including setup)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>07:00 am</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Estimated End Time (including breakdown)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>06:30 pm</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Event Address</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Center Street, between Huron &amp; Arctic Avenues</td>
</tr>
<tr>
<td>Map It</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Event Name</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Taste of Folly</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Purpose of Event</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Street festival to bring business during off season</td>
</tr>
</tbody>
</table>

| **Description of Event** |
Annual street festival to showcase Folly Beach during the off season. Will feature live music across three stages, 80 arts, crafts & food vendors, multiple kids areas, and other entertainment. As with previous years, the event will be secured with fencing, all gates manned by security personnel. Admission will be charged to attend. FAB requests a street closure between Huron & Arctic Avenues from 7 am to 6:30 pm. The official event will run from 10 am to 4 pm, the remaining time is for setup, breakdown and cleanup.

FAB will secure sufficient security personnel to man the gates and patrol within the festival limits, therefore requests a waiver of all fees associated with FBPS, FBFD and FB Public Works staff. FAB also requests a waiver from any pending noise ordinances as well as a relaxed open container law within the festival limits. All alcohol will be sold & served by existing establishments with the appropriate licenses and insurance and will not be sold or served by FAB.

**Estimated Number of Attendees**

3,000

**Please describe how your event meets the criteria in Section (B)(1)**

Taste of Folly features local vendors, artists, restaurants and businesses. As a wholesome and family friendly event, the event showcases Folly's eclectic and relaxed atmosphere, encouraging return visits. As the summer comes to a close, the festival brings additional tourism to the business community between September 10 and April 30, driving increased revenue for the businesses and ultimately the City via taxes.

**Will inflatables, trampolines, mechanical rides, amusement rides, petting zoos or animals be at the event?**

Yes

**Is this event a sporting event?**

No

**Do you plan to serve (at no charge) alcoholic beverages at the event?**

No

**Do you plan to sell alcoholic beverages of any kind during the event?**

No

**By signing, you agree that you have read and will comply with the rules (links above), and will be available at the phone number listed during the event. You are responsible for complying with all city rules and ordinances.**

[Signature]

28
Which best describes your event? Select all that apply.

- Other events on public property (festivals, cultural, music, parades, etc)

**Organizer's Address**

PO Box 1816  
Folly Beach, South Carolina 29439  
United States

[Map It](#)

**Phone**

(843) 323-5607

**Cell Phone (must be available during event)**

(843) 323-5607

**Email**

[FollyFABEvents@gmail.com](mailto:FollyFABEvents@gmail.com)

**Alternate Contact**

Steve Carroll

**Alternate Contact Phone**

(843) 224-7243

**Date of Event**

09/19/2020

**Alternate Date**

09/26/2020

**Estimated Beginning Time (including setup)**

07:00 am

**Estimated End Time (including breakdown)**

06:30 pm

**Event Address**

Center Street between Huron & Arctic Avenues  
United States

[Map It](#)

**Event Name**

Sea & Sand Festival

**Purpose of Event**

Street festival to celebrate the close of the season

**Description of Event**
Annual street festival to celebrate the close of the summer season. Will feature live music across three stages, 80 arts, crafts & food vendors, multiple kids areas, and other entertainment. As with previous years, the event will be secured with fencing, all gates manned by security personnel. Admission will be charged to attend. FAB requests a street closure between Huron & Arctic Avenues from 7 am to 6:30 pm. The official event will run from 10 am to 4 pm, the remaining time is for setup, breakdown and cleanup.

FAB will secure sufficient security personnel to man the gates and patrol within the festival limits, therefore requests a waiver of all fees associated with FBPS, FBFD and FB Public Works staff. FAB also requests a waiver from any pending noise ordinances as well as a relaxed open container law within the festival limits. All alcohol will be sold & served by existing establishments with the appropriate licenses and insurance and will not be sold or served by FAB.

In addition to the street festival on Saturday, FAB requests approval for a Sand Castle Competition and Volleyball tournament to take place beach side (in front of Tides) on Sunday, September 20th from 9 am to 1 pm. The Sand Castle competition will be free to participate as well as spectate with an anticipated 12 participants. A registration fee will be charged for the Volleyball competition, but free to spectate with an anticipated attendance of 30 people.

**Estimated Number of Attendees**

3,000

**Please describe how your event meets the criteria in Section (B)(1)**

The Sea & Sand festival is the longest running festival on Folly Beach that features local vendors, artists, restaurants and businesses. As a wholesome and family friendly event, the event showcases Folly's eclectic and relaxed atmosphere, encouraging return visits. As the summer comes to a close, the festival brings additional tourism to the business community between September 10 and April 30, driving increased revenue for the businesses and ultimately the City via taxes.

**Will inflatables, trampolines, mechanical rides, amusement rides, petting zoos or animals be at the event?**

Yes

**Is this event a sporting event?**

No

**Do you plan to serve (at no charge) alcoholic beverages at the event?**

No

**Do you plan to sell alcoholic beverages of any kind during the event?**

No

**By signing, you agree that you have read and will comply with the rules (links above), and will be available at the phone number listed during the event. You are responsible for complying with all city rules and ordinances.**
### Which best describes your event? Select all that apply.

- Other events on public property (festivals, cultural, music, parades, etc)

### Organizer's Address

**PO Box 1690**  
Folly Beach, South Carolina 29439  
United States  
[Map It](#)

### Phone

(843) 323-5607

### Cell Phone (must be available during event)

(843) 323-5607

### Email

[FollyFABEvents@gmail.com](mailto:FollyFABEvents@gmail.com)

### Alternate Contact

Steve Carroll

### Alternate Contact Phone

(843) 224-7243

### Date of Event

10/17/2020

### Alternate Date

10/24/2020

### Estimated Beginning Time (including setup)

07:00 am

### Estimated End Time (including breakdown)

06:30 pm

### Event Address

Center Street between Huron & Arctic Avenues  
United States  
[Map It](#)

### Event Name

Follypalooza Cancer Benefit

### Purpose of Event

Street festival to raise money for people with cancer

### Description of Event
Annual street festival to raise money for Folly locals with cancer. Will feature live music across three stages, 80 arts, crafts & food vendors, multiple kids areas, and other entertainment. As with previous years, the event will be secured with fencing, all gates manned by security personnel. Admission will be charged to attend. Follypalooza requests a street closure between Huron & Arctic Avenues from 7 am to 6:30 pm. The official event will run from 10 am to 4 pm, the remaining time is for setup, breakdown and cleanup.

Follypalooza will secure sufficient security personnel to man the gates and patrol within the festival limits, therefore requests a waiver of all fees associated with FBPS, FBFD and FB Public Works staff. Follypalooza also requests a waiver from any pending noise ordinances as well as a relaxed open container law within the festival limits. All alcohol will be sold & served by existing establishments with the appropriate licenses and insurance and will not be sold or served by Follypalooza.

<table>
<thead>
<tr>
<th>Estimated Number of Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,000</td>
</tr>
</tbody>
</table>

Please describe how your event meets the criteria in Section (B)(1)

The Follypalooza festival features local vendors, artists, restaurants and businesses. As a wholesome and family friendly event, the event showcases Folly's eclectic and relaxed atmosphere, encouraging return visits. As the summer comes to a close, the festival brings additional tourism to the business community between September 10 and April 30, driving increased revenue for the businesses and ultimately the City via taxes.

Will inflatables, trampolines, mechanical rides, amusement rides, petting zoos or animals be at the event?

Yes

Is this event a sporting event?

No

Do you plan to serve (at no charge) alcoholic beverages at the event?

No

Do you plan to sell alcoholic beverages of any kind during the event?

No

By signing, you agree that you have read and will comply with the rules (links above), and will be available at the phone number listed during the event. You are responsible for complying with all city rules and ordinances.
ORDINANCE 30-19

AN ORDINANCE AMENDING CHAPTER 111 (ALCOHOLIC BEVERAGES) OF THE FOLLY BEACH CODE OF ORDINANCES BY AMENDING SECTION 111.04 (POSSESSION AND CONSUMPTION) TO PROHIBIT GLASSWARE IN SPECIAL EVENTS.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that the Folly Beach Code of Ordinance be amended as follows:

NOTE: deleted material struck through, new material shown in red for clarity

SECTION 111.04 POSSESSION AND CONSUMPTION.

(A) (1) No shopkeeper, storekeeper, soda fountain operator, restaurant operator, grocery store keeper or any person licensed to sell alcoholic beverages shall allow removal of open containers of alcoholic beverages from the premises.

(2) No described operator shall allow open containers on premises, except an operator who has a consumption on premises license.

(B) (1) No person shall purchase alcoholic beverages from any place licensed to sell alcoholic beverages in open containers except if the establishment has a consumption on premises license.

(2) Any alcoholic beverages purchased on the premises must be consumed on the premises.

(C) No person shall possess an open container of beer or an alcoholic beverage on the streets, beach or other public property. Non-alcoholic beverages are allowed on the beach in paper or plastic cups. Any cans or bottles must remain in the cooler at all times provided they may be removed briefly for the purpose of transferring the contents to a paper or plastic cup. Kegs, small or large, are considered cans and shall not be allowed on the beach.

(D) This section shall not apply to activities that have been reviewed by the staff Special Event Committee and approved by City Council or activities held at either the Folly River Park or the Community Center. During such events, it is prohibited to possess glassware or glass bottles in the festival area and restaurants are strictly prohibited from permitting any glass bottles or glassware to leave the premises into the festival area. Any violation of this will result in penalties found in section 10.99.

ADOPTED this _____ day of ____________ 2019, at Folly Beach, South Carolina.

Ayes: ______ Nays: ______ Abstains: ______

____________________________________    __________________________
Municipal Clerk      Tim Goodwin, Mayor
ORDINANCE 31-19

AN ORDINANCE AMENDING TITLE XI (BUSINESS REGULATIONS) OF THE FOLLY BEACH CODE
OF ORDINANCES BY AMENDING SECTIONS 110.37 (CLASS 8 RATES) TO CREATE A NEW CLASS
8 RATE FOR SHORT TERM RENTALS AND RAISE THE BASE FEE BY $100 TO OFFSET THE
REDUCTION OF THE RENTAL REGISTRATION FEE.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that the
Folly Beach Code of Ordinance be amended as follows:

NOTE: Deleted material struck through, new material shown in red,

SECTION 110.37 CLASS 8 RATES.

Each NAICS Number designates a separate sub-classification. The businesses in this
section are treated as separate and individual subclasses due to provisions of State Law,
regulatory requirements, service burdens, tax equalization considerations, and the like,
which are deemed to be sufficient to require individually determined rates.

<table>
<thead>
<tr>
<th>NAICS #</th>
<th>Type of Business</th>
<th>(Cont’d)</th>
</tr>
</thead>
<tbody>
<tr>
<td>713120</td>
<td>Amusement Machines</td>
<td>(1) Operator of machine $12.50 Per machine (S.C. Code § 12-21-2746) Plus $12.50 business license (For operation of all machines, not on gross income)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) Distributor selling or leasing machines (Not licensed by State as an operator, S.C. Code § 12-21-278) First $2,000 Gross Income $200.00 Over $2,000 3.00/thousand</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAICS #</th>
<th>Type of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>713290</td>
<td>Amusement Machines, coin operated – non payout Amusement machines of the non payout type or in-line pin game licensed by SC Department of Revenue pursuant to S.C. Code § 12-21-2720(A)(3) Type III.</td>
</tr>
<tr>
<td></td>
<td>(1) Operator of machine (owner of business) $180.00 per machine (S.C. Code § 12-21-2720(B)) Plus $12.50 business license</td>
</tr>
<tr>
<td></td>
<td>(2) Distributor selling or leasing machines (not licensed by the State as an operator pursuant to S.C. Code § 12-21-2728).</td>
</tr>
<tr>
<td>Industry Code</td>
<td>Industry Description</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------------------------------</td>
</tr>
<tr>
<td>713950</td>
<td><strong>Bowling Alleys</strong></td>
</tr>
<tr>
<td>713990</td>
<td><strong>Billiard or Pool Rooms, all types</strong></td>
</tr>
<tr>
<td></td>
<td>First $2,000 Gross Income</td>
</tr>
<tr>
<td></td>
<td>Over $2,000</td>
</tr>
<tr>
<td>711190</td>
<td><strong>Carnivals and Circuses</strong></td>
</tr>
<tr>
<td>711310</td>
<td><strong>Promotors</strong></td>
</tr>
<tr>
<td>721199</td>
<td><strong>All Other Traveler Accommodation</strong></td>
</tr>
<tr>
<td></td>
<td>First $2,000 Gross Income</td>
</tr>
<tr>
<td></td>
<td>Over $2,000</td>
</tr>
</tbody>
</table>

ADOPTED this ___ day of ____________, 2019, at Folly Beach, South Carolina.

Ayes: _____  Nays: _____  Abstains: ________

________________________________________  _____________________________
Municipal Clerk                              Tim Goodwin, Mayor
AN ORDINANCE AMENDING TITLE XI (BUSINESS REGULATIONS) OF THE FOLLY BEACH CODE OF ORDINANCES BY AMENDING SECTIONS 117.02 (LICENSE, REGISTRATION, AND TAX REQUIREMENTS) TO ELIMINATE THE FEE FOR RENTAL REGISTRATION TO OFFSET THE INCREASE IN THE BASE RATE FOR SHORT TERM RENTAL LICENSES.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that the Folly Beach Code of Ordinance be amended as follows:

NOTE: Deleted material struck through, new material shown in red

SECTION 117.02 LICENSE, REGISTRATION, AND TAX REQUIREMENTS.

Any owner wishing to operate a short term rental must maintain a current business license, comply with rental registration requirements, and make proper payment of local, county, and state taxes.

(A) Business license. Business licenses must be renewed annually by the submittal of a form and fee as established by the city. The business license account number and the maximum occupancy for each short term rental must be prominently displayed in the rental unit, as well as in any advertisement for the rental of the unit, excluding signs posted on the rental property.

(B) Rental registration. Each new short term rental license application must be accompanied by a rental registration application form provided by the city, and must be renewed on an annual basis. At the time an application is filed or renewed, a registration fee, in an amount established from time to time by City Council, shall be paid in full.

(1) Annual registration. The registration fee shall be paid prior to February 1 of each year. Any registration fee paid after this date as a renewal from the previous year shall be doubled.

(2) Change in registered information. The owner of a rental dwelling already registered with the city shall re-register within 60 days after any change occurs in the registration information. A new owner of a registered dwelling shall re-register the dwelling within 60 days of assuming ownership.

(3) Information required. Application for rental registration shall contain the following information:

(a) The address of the rental dwelling;
(b) The number of rental dwelling units;

(c) The number of bedrooms in each rental dwelling;

(d) The number of parking spaces provided on site for each rental dwelling;

(e) The maximum overnight occupancy of each rental dwelling, which shall not exceed two persons per bedroom, plus two additional people per rental dwelling, except as allowed under an exception under 164.03-01(C);

(f) The type of wastewater system (septic or sewer);

(g) The names, mailing addresses, business phone numbers, personal phone numbers, and business addresses of the owner and local agent;

(h) The address where the owner and/or local agent will accept notices and orders from the city;

(i) Certification that the owner has read applicable city ordinances, including, but not limited to, regulations regarding noise, trash, parking, alcohol, animals, litter, surfing, dune protection, sea turtles and golf carts;

(j) Certification that the owner has prominently posted within the property a summary of applicable city ordinances, including, but not limited to, regulations regarding noise, trash, parking, alcohol, animals, litter, surfing, dune protection, sea turtles and golf carts;

(k) Certifications that tenants listed on any rental agreement shall receive a summary of city ordinances, including, but not limited to, regulations regarding noise, trash, parking, alcohol, animals, litter, surfing, dune protection, sea turtles and golf carts. The summary of applicable ordinances shall be in a form determined by the city, and made available to all owners of rental property.

(l) Certification that the owner is aware that, upon receiving four or more notifications that occupants or guests have received a written warning or citation for noise, trash, turtle lighting, requirements for special events, or exceeding maximum occupancy during any rolling six-month period, penalties may be assessed, including business license revocation or non-renewal.

(4) Inaccurate or incomplete registration information. It shall be a violation of this chapter for an owner to provide inaccurate information for the registration of rental dwellings, or to fail to provide information required by the application form.

(5) Designation of local agent. The owner of a rental dwelling shall designate a responsible agent who shall be responsible for operating the rental dwelling in compliance with the law. Official notices may be served on the responsible local agent and/or the owner, and any notice served on the agent shall be deemed to have been served upon the owner of record.
(a) Nothing shall prevent the owner of rental property from designating himself or herself as the agent.

(b) The agent shall be required to be able to physically respond to the site within 30 minutes in case of emergency or need by the city for entry into the property.

(6) More than one owner or ownership by entity. Where more than one person has an ownership interest in a short term rental, the required information shall be provided for each owner. In those cases in which the owner is not a person, the information required for the register shall be provided for the organization owning the rental dwelling, and for the president, general manager, or other chief executive officer of the organization.

(C) Taxes. Owners of short term rentals are subject to local, county, and state taxes, including, but not limited to, sales, use, and accommodations taxes, and are liable for the payment thereof as established by state law and the city code of ordinances.

(D) Violations and penalties.

(1) Violations. It shall be a violation of this chapter to:

(a) Operate a short term rental without complying with the requirements of this chapter and the city code of ordinances;

(b) Expand the allowable occupancy of a short term rental without obtaining a new permit;

(c) Advertise a property as being available as a short term rental without first complying with the requirements of this chapter;

(d) Advertise a short term rental as being available for more overnight occupants than have been permitted pursuant to this chapter;

(e) Advertise more short term rental units on a property than have been permitted pursuant to this chapter;

(f) Advertise a property as a short term rental or “event house” for events or parties with more than 49 people in attendance; or

(g) Operate a short term rental that has received four or more notifications of occupant or guest violations of noise, trash, turtle lighting, requirements for special events, or exceeding maximum occupancy during any rolling six-month period.

1. The number of allowable notices and violations shall be reset upon a change of ownership that results in no overlap with prior common ownership.

2. For the purpose of determining the total number of notifications to the owner, all written warnings and violations occurring within a single rental contract period shall be considered one instance. In no case shall notifications to the owner exceed one per rental contract period.
Penalties.

(a) No permit may be issued or approved unless the requirements of this chapter, or any ordinance adopted pursuant to it, are complied with. A violation of this chapter can result in a civil penalty pursuant to 110.99, revocation or suspension of a business license pursuant to § 110.17, or the non-renewal of the license.

(b) Short term rental licensees shall be subject to graduated penalties as the licensee receives notifications that an occupant or guest has received a written warning or citation for noise, trash, turtle lighting, requirements for special events, or exceeding maximum occupancy during any rolling six-month period. For the purpose of determining the total number of notifications to the owner, all written warnings and violations occurring within a single rental contract period shall be considered one instance. In no case shall notifications to the owner exceed one per rental contract period. The licensee may respond within ten days of receiving the certified notice with evidence that demonstrates that the notice was issued in error. The graduated penalties are:

1. First violation: a description of the violation committed by the tenant, and a warning that progressive action shall be taken by the city in the case of further violations.

2. Second violation: a description of the violation committed by the tenant, and a second warning that progressive action shall be taken by the city in the case of further violations.

3. Third violation: a description of the violation committed by the tenant, a civil penalty of $500, and a third warning that progressive action shall be taken by the city in the case of further violations.

4. Fourth violation: a description of the violation committed by the tenant and initiation by the city of business license revocation procedures pursuant to 110.17, or notice that the license will not be renewed.

(Ord. 19-10, passed 9-28-10; Am Ord. 26-17, passed 1-9-18)

SECTION 117.03 ADDITIONAL REQUIREMENTS FOR SHORT TERM RENTALS.

(A) All owners and/or agents responsible for the leasing of short term rentals shall be required to keep the following for city inspection and copying for a period of one year:

1. The name, address, and other contact information of each signatory on the rental agreement;

2. A document signed by the owner and/or agent responsible for renting the dwelling, certifying the number of persons intended to occupy the dwelling.

3. The information required by this section shall be updated by the owner and/or agent for each rental to different tenants or occupants.

(B) The owner and/or agent shall provide the following for each person signing a rental agreement as a responsible party for a short term rental:
(1) The address of the short term rental and emergency contact numbers;
(2) The name and contact information for the owner or designated agent; and
(3) A copy of the city’s rules and regulations regarding noise, trash, parking, alcohol on the
beach, litter, dune protection, sea turtles, requirements for special events, maximum occupancy,
and golf carts.

(C) Individual rooms in short term rentals may not be rented under separate contracts at the
same time.

(D) Any events held on the premises of a short term rental shall meet the following
requirements:
   (1) Must follow any applicable special event notification rules established by the city
       in 153.05 for events on private property;
   (2) Shall be subject to all applicable provisions of the noise regulations
       in 131.30 through 131.35; and
   (3) May not feature mobile food trucks, carts, or other outdoor retailers offering products for
       sale or in exchange for donations. Caterers are allowed at events on the premises of short term
       rentals.

(E) All special events held after August 1, 2018, on the premises of a short term rental shall meet
the following requirements:
   (1) May not exceed 49 people; and
   (2) May not include outdoor amplified music, including bands, deejays, music broadcast
       through speakers and electronic musical instruments.

   (3) These requirements do not apply to events hosted by the owner of the property for which
       the owner is on site for the duration the event, the owner has completed the required special event
       notification, and for which no compensation has been paid for the event or the use of the house.

(Ord. 26-17, passed 1-9-18)

ADOPTED this ___ day of ______________, 2019, at Folly Beach, South Carolina.

Ayes:     Nays:     Abstains:  

__________________________  ____________________  ____________________
Municipal Clerk      Tim Goodwin, Mayor
Memo: Commercial Parking Lots
Date: October 8th, 2019

Mayor/Council

As the Planning Commission works through the Comprehensive Update, we are taking a look at some of the goals that we have yet to achieve with 5 years left to go. One of the bigger ones is to create beautification standards for commercial parking lots. This month staff is proposing what we feel is the simplest/quickest ways to start this project.

The primary goal of this ordinance would be to trigger detailed landscaping requirements for large parking lots if a new parking lot starts to operate. We have standards in place already, but either the parking areas haven’t been big enough or (for all of the lots that are only parking) the use was preexisting. These rules are copied below. At first glance, there are a lot of requirements. However, a good number of them would only apply to large lots like at the Harris Teeter. Our on-island parking lots would generally only be required to construct end of the aisle landscaped areas and perimeter landscaping as highlighted below.

The second goal (which we need direction from Council on) would be to require any existing commercial parking lot to meet these standards prior to 2025. That would give them the remaining 5 years of the Comp Plan to come into compliance. It would spread the cost of improvements over 5 years and hopefully that would be enough time for them to save and plan without being a huge financial hit.

We look forward to hearing your thoughts at the work session.

§ 166.02-05 Vehicular Use Area Landscaping.
(A) Interior landscaping standards.
   (1) Applicability. Except for single-and two-family residential uses, the standards in this subsection shall apply to all surface parking lots with five or more parking spaces.
   (2) General interior landscaping standards. All parking lots shall provide and maintain landscaped planting areas within the interior of the parking lot. These standards shall not apply to parking structures or vehicle display areas.
   (3) Size. Each planting area shall contain minimum areas in accordance with § 166.02-05(4), Design, and in all instances, the planting area shall be adequate to accommodate the root growth of the plant material used. The size of the planting area and size of plant material at maturity shall allow for a two-and-one-half foot bumper overhang from the face of the curb.
   (4) Design. Interior planting areas shall be designed within parking areas as:
      (a) Islands located at the end of parking bays, with a minimum size of 135 square feet for single loaded parking rows, and a minimum size of 270 square feet for double loaded bays;
(b) Islands located mid-way in parking bays with 40 or more spaces such that no more than 15 spaces shall be located in a continuous row without being interrupted by a landscaped island with a minimum size of 135 square feet for single loaded bays and 270 square feet for double loaded bays.

(c) Islands located at least every four parallel rows of cars;

(d) Islands used to visually separate parking areas and accommodate required pedestrian pathways in surface parking lots with 500 or more parking spaces;

(e) Driveway medians shall have a minimum width of four feet for medians with shrubs, six feet for medians with shrubs and understory trees and nine feet for medians with canopy deciduous or evergreen trees.

(5) Planting rates. Each interior planting area shall contain trees and shrubs at the following rates:

(a) Trees shall be required at the minimum rate of two caliper inches of canopy tree for every 2,000 square feet, or portion thereof, of the total vehicular use area, except for location directly under overhead utilities, where understory trees may be substituted for canopy trees; This equals 6 trees on a full sized lot.

(b) Large shrubs shall be required at the minimum rate of one shrub per every 500 square feet, or portion thereof, of the total parking lot area; this equals approximately 21 shrubs on a full sized lot.

(c) As a general guide, one tree island should be located at approximately 15 space intervals, in accordance with § 166.02-05(4), Design;

(d) No parking space shall be separated from the trunk of a shade or canopy tree by more than 60 feet (perimeter vehicular use area landscaping or other required landscaping may be used to meet this requirement); and

(e) All landscape planting areas shall be stabilized and maintained with ground covers, mulches, or other approved materials to prevent soil erosion and allow rainwater infiltration.

(6) Screened backfill. Soil utilized in parking lot islands, driveway medians, and other areas internal to a vehicular use area shall be screened prior to deposition in planting areas.

(7) Distribution. Landscaped planting areas shall be distributed throughout the parking area for the purpose of heat abatement.

(8) Protection of planting areas. All planting areas shall be protected from vehicle damage by the installation of curbing, wheel stops, or other comparable methods.

(B) Perimeter landscaping standards. In addition to the interior vehicular use area landscaping standards set forth in § 166.02-05(A), Interior Landscaping Standards, vehicular use areas shall be screened from view of public streets and adjacent residential uses. Where a vehicular use area abuts a street right-of-way, vacant land within a residential district, or existing residential development, the following standards shall apply:

(1) Continuous visual screen. Perimeter landscaping for vehicular use areas shall form a continuous visual screen, excluding required sight clearances at driveways.

(2) Minimum width.
(a) The minimum average width for any perimeter landscaping strip shall be ten feet measured at ten-foot intervals along the property lines, with the minimum width for any perimeter landscaping strip being five feet.

(b) The perimeter landscaping strip shall be protected from vehicular intrusion by the installation of curbing, wheel stops, extra width in the buffer yard, or other comparable methods approved by the Zoning Administrator.

(3) Location. Perimeter landscape strips for screening vehicular use areas shall be located on the lot, and shall be placed to assure visibility and safety of pedestrians on the public street, as well as those within the vehicular use area.

(4) Minimum height. Plant materials shall be maintained at a minimum height of four feet above the surface elevation of the adjacent vehicular use area, provided the installation meets all state and federal highway sight distance standards.

(5) Required materials.

(a) Evergreen shrubs shall be used to form the continuous visual screen in the perimeter landscaping strip.

(b) In addition to the evergreen shrub requirements, each perimeter landscaping strip shall include at least eight aggregate caliper inches (ACI) of canopy or understory trees per every 100 linear feet of landscaping strip. On a full size lot this would require up to 60 (2inch) trees.

(6) Adjacent to perimeter buffers. Perimeter landscape strips may be credited towards perimeter buffer (See § 166.02-06) standards provided that the minimum standards of this landscaping strip width requirements subsection are maintained.

Aaron Pope, AICP
Deputy Administrator/Zoning Administrator
City of Folly Beach
843-276-5568 apope@cityoffollybeach.com
AN ORDINANCE AMENDING CHAPTER 164 (USE STANDARDS) SECTION 164.03-03 (COMMERCIAL USES) BY REQUIRING NEW COMMERCIAL PARKING LOTS TO MEET THE LANDSCAPING REQUIREMENTS FOR PARKING AREAS AND ESTABLISHING A FIVE-YEAR GRACE PERIOD FOR EXISTING NON-CONFORMING PARKING USES TO COME INTO COMPLIANCE.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that the Folly Beach Code of Ordinance be amended as follows:

NOTE: Deleted material struck through, new material shown in red,

SECTION 164.03-03 COMMERCIAL USES.

(A) Day care. All day care facilities are permitted subject to the following standards:

(1) Day care facilities shall comply with all applicable state regulations.

(2) A day care facility operated by, and located on the site of, a religious institution may be allowed as an accessory use only if found to be compatible with adjacent areas in terms of hours of operation, noise, lighting, parking, and similar considerations.

(3) In the DC District, day care facilities shall not exceed a gross floor area of 1,000 square feet, and shall provide services primarily to the surrounding neighborhood.

(B) Commercial parking. Any exchange of compensation for parking shall be considered a commercial parking use and shall:

(1) Not be permitted in any residential district of the city;

(2) Limit street frontage in the DC District to 100 feet.

(C) Retail sales and service.

(1) Bar, nightclub or similar establishment.

(a) Such use shall comply with the location standards established by the State of South Carolina.

(b) Hours of operation shall be limited to the time frame between 12:00 noon and 2:00 a.m.
(2) **Adult entertainment establishment.** To protect the community from the adverse effects of having activities and standards involving pandering to gross sexuality imposed on them, none of the following uses shall be permitted in any district unless a special exception permit $§$ 162.03-03, is obtained. The requirement for a special exception permit shall be in addition to all other applicable ordinances.

(a) Book sales and magazines sales, where either the advertising or the displays or signs in or out of the location offer written materials showing specified sexual activities or specified anatomical areas (this does not apply to the availability for sale of any material displayed in a way that only the name of the book or magazine appears);

(b) Movie theaters offering movies or other displays showing specified sexual activities or specified anatomical areas;

(c) Any type theater or establishment offering any kind of show emphasizing specified sexual activities or specified anatomical areas;

(d) Any coin-operated devices and any place offering coin-operated devices which show specified sexual activities or specified anatomical areas; and

(e) Any cabaret, club or tavern offering any entertainment showing specified sexual activities or specified anatomical areas.

(3) **Retail Type I, Type II, and Type III.**

(a) Type I retail uses shall not exceed 2,500 square feet of gross floor area per individual use or establishment.

(b) Type II retail uses shall not exceed 5,000 square feet of gross floor area per individual use or establishment.

(4) **Retail/service use with gasoline sales.**

(a) **Convenience stores.**

1. Gasoline pumps, canopies, and associated service areas are prohibited in any established front yard. All pumps and canopies shall be located to the rear of the building.

2. All exterior lighting for the building, parking area, gas islands, and canopies shall be configured so that the source of illumination is not visible from off-site areas.

3. Drive-through windows, stacking lanes, and circulation shall be prohibited in the front of the building or in a side yard abutting a street.

4. Trash containers shall be fully screened by a wall that is constructed of the same material as the principal structure. Trash containers shall be located so as to minimize their visibility from adjacent public streets or other public gathering areas.
5. A wall, fence, or hedge with a minimum height of three feet shall be installed along any street frontage adjacent to any parking or vehicular use area. Such hedges, walls, or fences may be built along property lines or as a continuation of the principal structure's building wall.

6. Signs attached to the canopy shall not extend beyond the ends or extremities of the fascia of the canopy to which or on which they are attached.

(D) Self storage. Self storage uses shall comply with the following standards:

(1) The minimum lot area shall be least two acres.

(2) The only commercial uses permitted on site shall be the rental of storage bays and the pickup and deposit of goods or property in dead storage.

(3) Storage bays shall not be used to manufacture, fabricate, or process goods; service or repair vehicles, small engines or electrical equipment, or to conduct similar repair activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on the site.

(4) No more than one security or caretaker quarters may be developed on the site.

(5) Individual storage bays or private postal boxes within a self-service storage facility use shall not be considered premises for the purpose of assigning a legal address.

(6) Except as provided in this subsection, all property stored on the site shall be entirely within enclosed buildings.

(7) Open storage of recreational vehicles, travel trailers, and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:

(a) The storage shall occur only within a designated area, which shall be clearly delineated;

(b) The storage area shall not exceed 25% of the buildable area of the site;

(c) Outdoor storage areas shall be located to the rear of the principal structure and be screened with a wooden fence or masonry wall no less than eight feet in height;

(d) Storage shall not occur within the area set aside for minimum building setbacks;

(e) No dry stacking of boats shall be permitted on site; and

(f) No vehicle maintenance, washing, or repair shall be permitted.

(E) Outdoor storage. Outdoor storage uses (as a principal use) shall:

(1) Be screened with a wooden fence or masonry wall no less than eight feet in height in accordance with § 166.09, Fences and Walls. The height of materials and equipment stored shall not exceed the height of the screening fence or wall; and
(2) Not allow customer or vehicular circulation to occur through the area used for outdoor storage.

(F) **Tourist accommodations.**

(1) **Bed and breakfast.** Bed and breakfast establishments shall comply with the following standards:

   (a) Bed and breakfasts shall obtain a business license prior to operation;

   (b) The bed and breakfast shall be accessory to the structure’s principal use as a dwelling, and the operators shall permanently reside on the premises;

   (c) The structure shall maintain an exterior appearance that is in character with surrounding residential uses;

   (d) A maximum of four sleeping rooms may be available for transient occupancy, and in no event shall a sleeping room be occupied by a guest for more than seven consecutive days;

   (e) Cooking facilities shall not be permitted within individual sleeping rooms, and food may be served only to overnight guests;

   (f) Each sleeping room shall be served by a separate smoke detector and shall include a graphic depiction of a fire escape plan;

   (g) Common dining or gathering areas shall not be leased for social events;

   (h) All off-street parking areas for the use shall be on the site, located within side or rear yard areas, screened in accordance with this ZDO, and shall not include exterior lighting mounted higher than six feet above grade; and

   (i) Bed and breakfast inns shall not be located within 200 feet of another bed and breakfast inn or group living facility.

(2) **Hotels, motels, and inns.**

   (a) Individual hotel or motel establishments shall be limited to a maximum number of ten guest sleeping rooms per establishment.

   (b) Hotels, motels, and inns shall not be located within 200 feet of another tourist accommodation or group living facility.

(G) **Outdoor retailers.** Outdoor retailers shall comply with the following standards:

(1) Outdoor retailers shall operate only on lots that have frontage on Center Street, East Ashley Avenue, and East Arctic Avenue in the Downtown Commercial or Island Commercial Zoning Districts.
(2) The property on which the business will be operated contains adequate space to support the proposed outdoor retail sales without encroaching into or creating a negative impact on existing buffers, landscaping, or traffic movements.

(3) A lot may have one outdoor retailer at a time per 2625 square feet. Multiple retailers may occupy the same lot, but at no time can the number of retailers operating exceed the maximum number allowed on the lot.

(4) If there is more than one outdoor retailer on a lot, the space used by each outdoor retailer must be at least five feet away from any part of the space being used by any other outdoor retailer.

(5) The business will be located so as not to interfere with the normal operation of any other permitted use of the property.

(6) The business will not cause interference with the movement of vehicular or pedestrian traffic to such an extent that adequate police, fire, or other emergency services cannot be provided.

(7) The hours of operation of the business will be from no earlier than 7:30 a.m. to no later than 10:00 p.m., except for food and beverage sales.

(8) No business activity shall occur on a street, sidewalk, right-of-way, beach or other public property or interfere with the public's use of such public property unless the business has a franchise from the city or is being operated as part of a special event regulated by Ch. 153, Special Events, etc.

(9) The business shall pick up, remove, and properly dispose of all trash or refuse created by the business as often as needed and at the end of business hours.

(10) The business shall not change locations within the City without prior notice to and permission from the city.

(11) The business shall comply with all other applicable provisions of the Folly Beach Code of Ordinances and the laws and regulations of South Carolina and the United States.

(12) Outdoor retailers located in the Island Commercial (IC) Zoning District shall be located only in commercial parking lots with more than ten spaces.

(13) No more than one outdoor retailer shall operate in any commercial parking lot located in the IC Zoning District.

(14) All aspects of an outdoor retailer business must be adequately secured against windstorms or be capable of being moved to a secure place quickly when a windstorm is approaching. In addition, an outdoor retailer business must be capable of being moved within 24 hours of getting notice from the city of an approaching tropical storm or hurricane.

(H) Commercial parking.
(1) All commercial parking lots shall meet the landscaping standards of Section 166.02-05 Vehicular Use Area Landscaping.

(2) Any commercial parking use made non-conforming by this section shall be grandfathered for a period of five years from the date of passage.

(Ord. 05-10, passed 3-23-10; Am. Ord. 34-12, passed 3-12-13; Am. Ord. 03-13, passed 4-9-13; Am. Ord. 30-17, passed 10-10-17; Am. Ord. 13-18, passed 12-4-18)

ADOPTED this ___ day of ___________, 2019, at Folly Beach, South Carolina.

Ayes: _____  Nays: _____  Abstains: _________

__________________________  ______________________
Municipal Clerk               Tim Goodwin, Mayor
RESOLUTION 56-19
A RESOLUTION AWARDING $700 TO WAVES 4 WOMEN FOR SURF BOARDS BY RECOMMENDATION OF THE COMMUNITY PROMOTIONS COMMITTEE.

WHEREAS, The City of Folly Beach has created a Community Promotions Committee; and

WHEREAS, The City of Folly Beach has budgeted a certain amount of funds under an account called “Community Promotions”; and

WHEREAS, The Community Promotions Committee believes that it is in the best interest of the citizens of Folly Beach to recommend an award of $700.00 to Waves 4 Women for approval by City Council; and

WHEREAS, City Council wishes to approve the funds recommended by the Community Promotions Committee.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Folly Beach, South Carolina, hereby ratifies and approves the sum of $700.00 to Waves 4 Women as recommended by the Community Promotions Committee.

RATIFIED this 8th day of October 2019, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

_________________________________________  ______________________________
Municipal Clerk                                      Tim Goodwin, Mayor
Community Promotions Committee

September 27, 2019
6:00 PM
City Hall, Council Chambers
21 Center Street

Commission Members:
Dr. Jeff Randall, Chairman
Marsha Riggs
Katherine Richards Westmoreland
Roger Rutledge
Bill Sypolt

-------------------------------------------------------------------------------

Regular Meeting Minutes

1. Call to Order/Roll Call
   Present: Randall, Riggs, Sypolt
   Staff Present: Colleen Jolley
   Absent: Rutledge, Westmoreland

2. Chairman Comments:
   No Comments

3. Approval of Agenda
   No Objections

4. Approval of Previous Minutes: July 31, 2019
   No Objections

5. New Business:
   Request for Funds: Waves 4 Women $3,000.00

   Erin Jones and Kristen Litchfield met with the committee to request funds to purchase new surf boards for Waves 4 Women. These boards will support their efforts to provide surf therapy to women with trauma as approved by Folly Beach City Council.

   Dr. Randall asked how many participants they’ve had since the pilot program and how many were from Folly. It was determined 25% are from Folly since the pilot program began in July.

   Motion to approve the appropriateness of the request was made by Riggs, seconded by Sypolt and carried unanimously.
Motion to approve an amended amount of $700.00 was made by Riggs, seconded by Sypolt and carried unanimously.

**Request for Funds: Remember Niger Coalition-School Spirit Run  $500.00**

By request of the Remember Niger Coalition, Ms. Jolley from the City of Folly Beach represented/presented a request for funds in their absence.

Ms. Jolley went over the details of this 5K run hosted by Charleston County School System to raise money for funding schools in Niger. Ms. Jolley answered questions to the appropriateness of the request based on backup documentation provided.

After brief discussion, and by unanimous vote, the appropriateness of the request was denied due to the lack of benefit to most Folly Beach residents.

6. **Adjournment: 6:55 pm**
RESOLUTION 57-19

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL SUPPORTING COMPLIANCE WITH ALL FEDERAL AND STATE SAFETY REGULATIONS.

WHEREAS, The Mayor and Council recognize that the prevention of accidental losses affecting employees, property, and the public will enhance the operating efficiency of City government; and

WHEREAS, A pro-active loss control posture requires that sound loss prevention measures are of primary consideration and take precedence over expediency in all operations.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina, that the City will endeavor to provide a work environment free of recognized hazards through the establishment and implementation of loss control policies and procedures to provide protection to City employees, property, and members of the public.

BE IT FURTHER RESOLVED, that the City will support compliance with all Federal and State regulations; provide and require the use of personal protective equipment by all employees; and ensure that all employees are advised of and understand their loss control responsibilities in the performance of their work.

RATIFIED this 8th day of October 2019 at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

_________________________________   _______________________________
Municipal Clerk     Tim Goodwin, Mayor