

CITY OF FOLLY BEACH

Tim Goodwin, Mayor



Folly Beach, SC 29439

www.cityoffollybeach.com

(P) 843-588-2447

(F) 843-588-7016

**Adam Barker, Council Member
William Farley, Council Member
Katherine Houghton, Council Member**

**Eddie Ellis, Council Member
Billy Grooms, Council Member
D.J. Rich, Mayor Pro Tem**

**City Council Meeting
Tuesday June 28th, 2022
REGULAR MEETING 7:00 P.M.
City Hall
21 Center Street
2nd Floor Council Chambers
Folly Beach, SC 29439**

Regular Meeting Agenda 7:00 P.M.

- 1. CALL TO ORDER/ROLL CALL**
- 2. INVOCATION & PLEDGE OF ALLEGIANCE**
- 3. MAYOR'S COMMENTS**
- 4. STAFF REPORTS**
- 5. APPROVAL OF AGENDA**
- 6. APPROVAL OF PREVIOUS MINUTES OF May 10th, 2022**
- 7. PERSONAL APPEARANCES (Limited to Five Minutes)**
 - a. July 4th Firework Show- Soraya McKay, FAB.
 - b. Save the Dates for Off-Season Events 2023- Soraya McKay FAB.
 - c. Lung Force Run/Walk-Susanna Crestetto.
 - d. Folly Beach Community Yoga Request to use 310 E. Ashley/Additional Classes- Jennifer Mahanes.
 - e. Comments On Ordinance 011-12.
- 8. CITIZENS' COMMENTS**
- 9. COMMISSION, BOARD, COMMITTEE REPORTS**

10. OLD BUSINESS

- a. **ORDINANCE 007-22:** An Ordinance Exempting Non-Conforming Multifamily Uses in The Residential Two-Family District From The Substantial Damage Rule By Amending Section 168.02-05 Reconstruction After Casualty Damage. **(SECOND READING)**
- b. **ORDINANCE 008-22:** An Ordinance Rezoning the Following Parcels Located in the 2nd Block West Between Ashley and Arctic Avenues from Island Commercial to Residential Two Family and Amending the Official Zoning Map to Reflect Such Change. **(SECOND READING)**
- c. **ORDINANCE 009-22:** An Ordinance Amending the Dimensional Standards of The Island Commercial District by Amending Table 165.01 (Dimensional Standards) To Increase the Required Setbacks and Set the Maximum Height At 40' Feet or Three Stories. **(SECOND READING)**
- d. **ORDINANCE 010-22:** An Ordinance Rezoning the Following Parcels from Downtown Commercial to Island Commercial and Amending the Official Zoning Map to Reflect Such Change. **(SECOND READING)**
- e. **ORDINANCE 011-22:** An Ordinance Amending the Standards of The Downtown Commercial District by Amending Table 164.01 (Table of Uses) To Eliminate Multifamily Use and Table 165.01 (Dimensional Standards) To Increase the Required Setbacks and Set the Maximum Height At 40' Feet or Three Stories. **(FIRST READING)**
- f. **ORDINANCE 012-22:** An Ordinance Creating the Center Street Overlay Zoning District. **(SECOND READING)**
- g. **ORDINANCE 013-22:** An Ordinance Rezoning the Following Parcels from Island Commercial to Downtown Commercial Amending the Official Zoning Map to Reflect Such Change. **(SECOND READING)**
- h. **ORDINANCE 014-22:** An Ordinance Rezoning the Following Parcels by Including Them in The Center Street Overlay District Amending the Official Zoning Map to Reflect Such Change. **(SECOND READING)**
- i. **ORDINANCE 015-22:** An Ordinance Amending Chapter 166 Of the Folly Beach Code of Ordinances (Development Standards) By Creating Section 166.13 Pedestrian Improvements to Require the Construction of Pedestrian Improvements in The Right of Way Upon Development or Substantial Improvement of Structures Located on Parcels in The Commercial District in Areas for Which City Council Has Approved a Conceptual Design for Multiuse Paths. **(SECOND READING)**
- j. **ORDINANCE 021-22:** An Ordinance to Provide for The Adoption of The FY2023 General Fund Budget Containing Estimates of Proposed Revenues and Expenditures for The City of Folly Beach, South Carolina Beginning July 1, 2022, And Ending June 30, 2023. **(SECOND READING)**
- k. **ORDINANCE 022-22:** An Ordinance Establishing the Water Utility Budget and

Appropriating the Necessary Funds for the Operation of the Folly Beach Water Utility for FY2023, Beginning July 1, 2022, and Ending June 30, 2023.
(SECOND READING)

1. **ORDINANCE 023-22:** An Ordinance Establishing the Sewer Utility Budget and Appropriating the Necessary Funds for The Operation of The Folly Beach Sewer Utility for FY2023, Beginning July 1, 2022, And Ending June 30, 2023.
(SECOND READING)

11. NEW BUSINESS

- a. **Appointments to Boards, Commissions, and Committees**
 - i. ATAX - 4 Vacancies (2) Lodging (1) Hospitality (1) At Large
 1. Cliff Harvey -At Large
 2. Kathy Miller- Lodging
 3. Darlene Rawls- Lodging
 - ii. Parks and Recreation - 3 At Large
 1. Matthew Horton- At Large
 2. David Parler- At Large
 3. Kim Morganello- At Large
 - iii. Election Commission- 1 At Large
No applicants
- b. **ORDINANCE 018-22:** An Ordinance Amending the Code of Ordinances Chapter 152.25 General Standards Section (N) Subsection 14 For Allowance of Non-Structural Fill with Restrictions.**(FIRST READING)**
- c. **ORDINANCE 025-22:** An Ordinance to Impose a Moratorium on The Issuance of New Business Licenses for Short Term Rentals Within the City of Folly Beach.
(FIRST READING)
- d. **RESOLUTION 18-22:** A Resolution by The Folly Beach City Council Awarding the Contract for The Final Design, Engineering, And Permitting for The Cooper Avenue Pedestrian Path to Davis and Flloyd in The Amount Of \$74,500 To Be Paid from Existing Bond Funds.
- e. **RESOLUTION 19-22:** A Resolution Awarding \$500 To the Folly Beach Civic Club to Publish a Six-Page Color Edition of The Sandspur in July by Recommendation of Community Promotions Committee.
- f. **RESOLUTION 21-22:** A Resolution by The Folly Beach City Council Transferring Remaining Budgeted Funds Within the FY2022 General Fund Budget to Reserve Accounts for Projects in Future Fiscal Years.
- g. **RESOLUTION 22-22:** A Resolution by The Folly Beach City Council for The Adoption of The FY23 Budget Containing Estimates of Proposed Revenues and Expenditures for The Tourism and Visitors Promotion Committee Beginning July 1, 2022 And Ending June 30, 2023.
- h. **RESOLUTION 23-22:** A Resolution by The Folly Beach City Council Increasing the

Rates for Paid Parking From \$2.50 An Hour To \$3.00 An Hour and from \$10.50 Per Day To \$11.00 Per Day.

- i. **RESOLUTION 24-22** A Resolution by The Folly Beach City Council Awarding a Contract to Elko Coastal Consulting Inc. In The Amount Of \$7,600 To Complete an Island Wide Mapping of The Critical Line and Bulkhead Inventory.
- j. **RESOLUTION 25-22:** A Resolution by The Folly Beach City Council Authorizing the Administration to Apply For Greenbelt Funds For The Purchase Of 502 And 504 East Huron.
- k. **RESOLUTION 26-22:** A Resolution Authorizing the Purchase of Embroidered Polo T-Shirts for Each Sitting Council Person Paid from The Council Discretionary Fund.
- L. **RESOLUTION 27-22:** A Resolution Awarding \$1,000.00 To the Coastal Family Vacation Foundation to Provide Beach Vacations To South Carolina Residents Battling Cancer Recommendation of Community Promotions Committee.

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



City of Folly Beach

Date: June 7th, 2022

Re: Recommendation to Council Re: Ordinance 018-22

Mayor and Council,

Due to recent observations of excessive fill related to site development within the jurisdiction, staff feels that ordinance 018-22 is needed to address and restrict non-structural fill and to align with the restrictions we already have in place regarding structural fill.

Currently no structural fill is allowed in V-zone construction and all properties within the City are regulated to V-zone standards, in effort to increase resilience, reduces adverse impacts, and to maintain the City's CRS rating. We have a need to regulate non-structural fill within the jurisdiction as well to support these same goals. Excessive, non-structural fill used in site development, can create adverse stormwater runoff impacts to neighboring properties, cause flood water diversion, and exacerbate erosion.

Restricting non-structural fill, in accordance with the recommended ordinance amendment 018-22, will give us the needed tools to increase resilience and reduce adverse impacts to adjacent properties within the jurisdiction.

Eric Lutz, CBO, CFM
Building Official | Floodplain Manager



City of Folly Beach

Date: June 7th, 2022

Re: Ordinance 011-22

Mayor and Council,

Ordinance 011-22 proposes increased setbacks, the removal of multifamily as an allowable use, and height limit changes for the DC District outside of the Center Street Overlay (the first block of East Ashley between Ashely and Cooper). In April, City Council remanded Ordinance 011-22 to the Planning Commission for a public hearing at their May meeting. The Planning Commission voted to table consideration of this ordinance until their next meeting. This meant that the Planning Commission did not meet the 30-day time limit for a recommendation to Council. At the May City Council meeting, City Council declined to vote on Ordinance 011-22 without a PC recommendation and instead voted to postpone consideration so that the PC could continue their discussion in June. In the interim, staff met with several neighbors to hear concerns and provide information about maximum development potential with or without Ordinance 011-22. On 6/3/22 the owners of 114 East Ashely submitted a building permit for a multifamily development (two additional units + the existing unit) with reduced setbacks.

There was no Planning Commission meeting in June due to lack of quorum. This means that there is still no recommendation to Council from that body. If there are further delays for Ordinance 011-22, there is potential for additional permit submittals for development that the ordinance is intended to prevent. Staff asks that the Council move forward with a vote on this ordinance. All owners who asked for further input after the June meeting was cancelled have been notified that they may address City Council directly with proposed amendments or accommodations. Council can then use that input to amend/adopt/or reject the ordinance.

Aaron Pope, AICP
City Administrator



City of Folly Beach

Date: June 7th, 2022
Re: Ordinance 012-22

Mayor and Council,

Pending Ordinance 012-22, which creates the Center Street Overlay District, does not include a reduction of setbacks. The majority of these parcels are built out to zero foot setbacks and the Overlay was meant to codify this development pattern. The Center Street Overlay floats over the Downtown Commercial district for those parcels between Center Street and the alley. An error in drafting did not account for the proposed setback changes in the underlying DC zoning. If the setbacks change in DC zoning and no amendment is made to the Overlay, the new setbacks will apply to the Overlay. Staff asks that Ordinance 012-22 be amended to add a zero foot setback as one of the development standards in the Center Street Overlay.

Jenna Stephens,
Zoning Administrator



CITY OF FOLLY BEACH

1st Reading: June 14th, 2022
2nd Reading:

Introduced by: Mayor Goodwin
Date: June 14th, 2022

ORDINANCE 25-22

AN ORDINANCE TO IMPOSE A MORATORIUM ON THE ISSUANCE OF NEW BUSINESS LICENSES FOR SHORT TERM RENTALS WITHIN THE CITY OF FOLLY BEACH.

WHEREAS, The City's primary long term planning document, the *2015 Comprehensive Plan*, recommended that the City adopt regulations to limit short term rentals to lessen their impact on neighborhoods; and

WHEREAS, In 2018 the City implemented a new program for tracking rentals and enacted ordinances to address noise, special events, and licensing requirements in an effort to mitigate the effects of short term rentals in the community; and

WHEREAS, The number of short term rentals on the island has continued to grow; and

WHEREAS, In addition to the quality of life issues identified in 2018, the ability to convert residences to short term rentals is also known to increase the value of residential property and displace long term rentals; and

WHEREAS, The *2015 Comprehensive Plan*, also notes the lack of affordable housing in the City as well as the loss of long term rentals; and

WHEREAS, The Mayor established a committee in 2021 to study new regulations and the Mayor has received those recommendations and used them as a basis for his own regulations; and

WHEREAS, City Council has begun consideration of the Mayor's proposals, but no ordinances have been passed to implement the regulations; and

WHEREAS, The City desires to pause the increase in short term rental license for a period of time appropriate to allow Council to debate proposed ordinances to address short

term rentals in relation to loss of housing and the quality of life within the community; and

NOW BE IT THEREFORE ORDAINED:

1. The City of Folly Beach imposes a moratorium, to be effective immediately upon adoption of this Ordinance, on the issuance of new business licenses for short term rentals within the City:
 - a. Subject to Section (b) hereof, no application shall be approved for a business license to create a short term rental in any residential unit within the City.
 - b. Subject to the limitations set forth in Section (c) excepted from the provisions of Section 1 (a) are each of the following:
 - i. Renewals of short term rental licenses for properties that were legally licensed as of June 14th 2022.
 - ii. New licenses resulting from the transfer of ownership of properties that were legally licensed as short term rentals as of June 14th 2022.
 - iii. New licenses for a short term rental for which an application has been filed with the City of Folly Beach prior to adoption of this Ordinance and that has been deemed sufficient for approval.
 - c. In order to be excepted from this moratorium, all exceptions listed in Section (b) must comply with the following requirements:
 - i. Applications must be submitted in a timely manner.
 - ii. Applications must be deemed sufficient for approval by City staff; and
 - iii. Applications must be for a license to rent an existing residential unit with a Certificate of Occupancy.
2. The Mayor will propose to the City Council on or prior to September 12th, 2022 the text of ordinances required to implement any and all amendments to the land use regulations, if any, resulting from the study of the issues at hand.
3. This ordinance shall take effect immediately upon adoption and shall expire automatically on September 12th, 2022 unless earlier repealed.

ADOPTED this _____ day of _____ 2022, at Folly Beach, South Carolina.

Ayes: _____

Nays: _____

Abstains: _____

Municipal Clerk

Tim Goodwin, Mayor



City of Folly Beach

Date: June 7th, 2022

Re: Resolution 24-22

Mayor and Council,

The City's Comprehensive Plan and Marsh Management Plan both identify a need for an inventory of bulkheads and a community wide map of the critical line within City limits. Currently critical line mapping is handled on a case by case basis by the State and there is no centralized database. This means that there is no ability to conduct high level reviews of critical area boundaries. The City also has no centralized map/database that shows the location of bulkheads along the marsh. Staff asks that Council approve the addition to our contract with Elko Coastal Consulting to gather this data. This will make Folly Beach the first community in the State to develop a fully mapped critical line and bulkhead inventory. This will provide us a critical (pun intended) tool for decision making. Equally important, the final product will be used to strengthen grant applications like the current \$500,000 living shoreline proposal that is being developed in conjunction with Kiawah.

Aaron Pope, AICP
City Administrator



City of Folly Beach

Date: June 7th, 2022
Re: Resolution 25-22

Mayor and Council,

The acquisition of greenspace is an ongoing goal of the City. Conserved land serves as habitat, provides opportunities for passive recreation, and creates capacity for stormwater retention/flood reduction. High real estate values and limited funding make conservation through land purchase difficult for Folly Beach. However, the City recently received \$150,000 from the State which provides the City an opportunity to pursue this goal. Staff proposes to leverage the State funds with a portion of the City's anticipated Greenbelt funds to purchase 502 and 504 East Huron. These lots are adjacent to an unopened, but cleared, right of way at the end of East Huron. The lots contain a mix of low and high ground. The use of Greenbelt funds (which can only be used for property acquisition and minor improvements) would limit future of the properties to passive recreation. Although these properties would be difficult for a private party to develop, the possibility of future construction remains (as evidenced by the neighboring homes on 506/508/510 East Huron). By acting now, the City can maximize the value of current funds and ensure that these properties are preserved in perpetuity.

Aaron Pope, AICP
City Administrator



Regular Meeting Back Up



City of Folly Beach

Date: May 25th, 2022

Re: Account 30-5000-3200

Mayor and Council,

Due to several emergency repairs, especially W Indian Avenue @ Center Street, the FY22 water system repairs account(5000-3200) budget has been exceeded. In order to continue installing meters and making everyday repairs, I anticipate will end up over budget by about \$4,000.00 at the end of the fiscal year.

Thanks for your continued support

Kyle Sullivan

Utilities Director



City of Folly Beach

Date: June 14th, 2022

Re: Information to City Council Re: Bill H3606

Mayor and Council,

On 5-18-22 we received notice that Bill H3606 was ratified and signed by Governor McMasters which resulted in modifications to the SC residential home builders act, effective 5-16-22.

Some changes that may cause concern are listed below. My concern being that we still need to ensure compliance with our flood code and zoning code as it relates to marsh buffers, setbacks, and our dune management area.

We are asking our legal department to review at this time and will be coming back to you, in the future, with some recommendations for ordinance changes to comply with the new law and still properly ensure compliance with our Zoning and Flood ordinances.

"Section 40-59-265. (A) This chapter, including Section 40-59-260, does not apply to an owner of residential property who improves the property when the improvements are for the following:

- (1) building:
 - (a) one-story detached accessory structures, provided that the floor area does not exceed two hundred square feet;
***need to ensure that these are not built in our buffers.**
 - (b) fences not over seven feet high;
***need to ensure compliance with setback and buffer restrictions.**
 - (c) retaining walls that are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge;
***need to ensure compliance with our recently enacted berm ordinance and buffer restrictions.**
 - (d) water tanks supported directly upon grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed two to one;
***need to ensure compliance with our flood ordinances.**
 - (e) sidewalks and driveways;
***need to ensure compliance with our impervious material restrictions and lot coverage limits.**
 - (g) prefabricated swimming pools that are less than twenty-four inches deep;
***need to ensure floodplain compliance and setback/buffer/lot coverage limitations.**

(j) decks not exceeding two hundred square feet in area, that are not more than thirty inches above grade at any point; ***same as (g) above.**

Eric Lutz, CBO, CFM
Building Official | Floodplain Manager



City of Folly Beach

From: Katie Finegan <Katie.Finegan@scseagrant.org>
Sent: Monday, March 14, 2022 10:05:29 AM
To: Eric Lutz <elutz@follybeach.gov>
Cc: Nicole Elko <nelko@elkocoastal.com>
Subject: Project Sentinel

Good morning Eric,

My name is Katie Finegan and I work for SC Sea Grant. I've been talking with Nicole Elko (copied) about the City of Folly Beach participating in a project that would collect wind, wave, and video data during a hurricane. The data is collected from a 30 ft tall tower that is temporarily installed on the oceanfront, in front of the dune, see attached photo. The tower is call a Sentinel. The tower would be installed a couple days before the hurricane and then removed once the hurricane safely passes.

There are 3 Sentinel towers and over a dozen sites that have been approved in the southeast (FL to NC) so for a tower to be temporarily installed in Folly Beach is highly dependent on the path of the hurricane. The Sentinel team would handle the install/removal of tower and would coordinate with you and a turtle contact in the event that the Folly Beach site would be utilized.

Nicole and I have discussed two potential locations this Sentinel could be installed. These locations were chosen given the proximity to a vehicle access, as a skid steer is used to transport the tower to the oceanfront.

1. In front of the parking lot at 3rd St. West.
2. Near the access at 9th St. East.

We would like to know if you have any thoughts/preferences on a location for this tower given the two options presented. We only need one location.

I am planning to come look at both site options next week on Wednesday March 23. If you and/or Nicole are available I would be happy for you to join me and discuss any questions or concerns. I am planning to be in Folly that morning from 8:00 – 9:15 am as I have to be in Charleston at 10 am.

I realize that my visit is short notice and a short window of time, but I'm happy to answer any questions via email/phone or schedule another meeting in person. This is just the beginning of the process, looking forward to working with you both!

Thanks,
Katie Finegan

Sent from [Mail](#) for Windows

Folly Beach City Council Meeting

June 14, 2022

Katie Finegan, PE
Coastal Processes Specialist



S.C. SEA GRANT CONSORTIUM
Coastal Science Serving South Carolina

SC Sea Grant Consortium



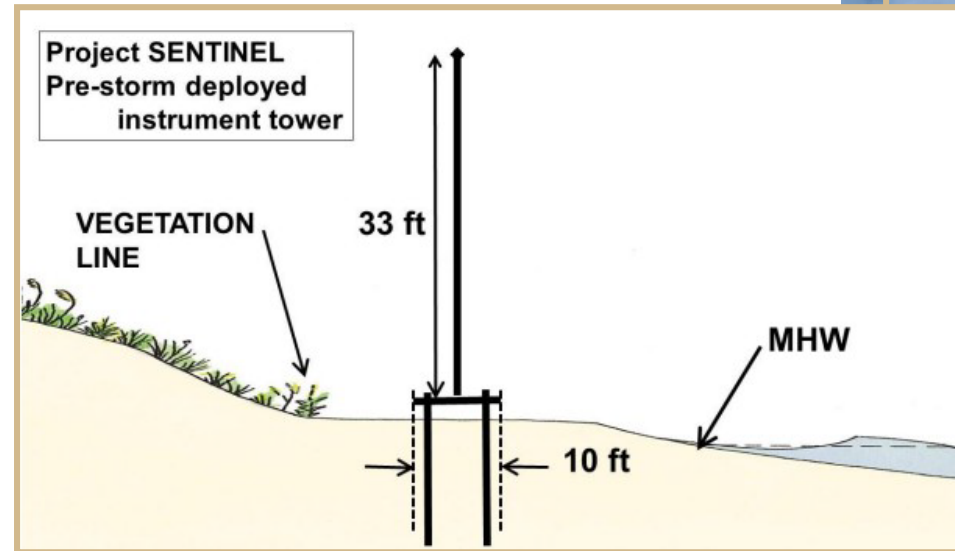
Our Mission

Nine Member Board of Directors

Our purpose is to generate and provide science-based information on issues and opportunities to improve the social and economic well-being of our coastal citizens while ensuring the optimal use and conservation of our marine and coastal natural resources.

Project Sentinel

- ✓ Towers deployed pre-storm and taken down post-storm
- ✓ Measures wind speed, water depth, wave height/direction, erosion, and records video
- ✓ Data assists with local response/recovery, and provides valuable data for research and modeling



Partnering

Contact: katie.finegan@scseagrant.org

UF UNIVERSITY of
FLORIDA

Woods Hole
Oceanographic
INSTITUTION







Vehicle access: 3rd St. West
 Staging area: parking lot at
 301 and 303 West Ashley
 Ave.

A- City of Folly Beach
 B- City of Folly Beach
 C- Atlantic House Properties
 UNDEVELOPABLE
 D- N/A



S.C. SEA GRANT CONSORTIUM
1 *Coastal Science Serving South Carolina*

Coordination

- Director of Public Works – Eric Lutz
- Park Folly Manager – Jared Glass
- Consultant – Nicole Elko
- Turtle Monitor – Dave Miller
- SC Sea Grant – Katie Finegan



S.C. SEA GRANT CONSORTIUM
Coastal Science Serving South Carolina

Details

- Ground Penetrating Radar – turtle nests and utilities
- 2 hr install/uninstall time
- University of Florida has insurance coverage
- Awaiting OCRM authorization letter/permit



S.C. SEA GRANT CONSORTIUM
Coastal Science Serving South Carolina

Questions?

Katie.finegan@scseagrant.org



Sea Grant

S.C. SEA GRANT CONSORTIUM
Coastal Science Serving South Carolina

Parcel A: 3281300085

Owner- CITY OF FOLLY BEACH

Location- 303 West Ashley Avenue

Purpose- To be used as staging area.

Parcel B: 3281300086

Owner- CITY OF FOLLY BEACH

Location- 301 West Ashley Avenue

Purpose- To be used as staging area.

Parcel C: 3281300087

Owner- ATLANTIC HOUSE PROPERTIES

Location- Undevelopable

Purpose- Sentinel tower will be deployed here in front of the dunes.

Parcel D: N/A

Owner- N/A

Location- 3rd Street West

Purpose- To be used as vehicle access for tower install/removal.

Which best describes your event? Select all that apply.

- Folly River Park Reservation

-

Folly Resident Name

City of Folly Beach

Folly Resident Address

21 Center St
Charleston 29439
United States
[Map It](#)

Folly Resident Cell Phone

(843) 860-6293

Folly Resident Email

jgorman@soccershots.com

Reservation Date

06/18/2022

Beginning Time (including setup)

08:30 am

End Time (including breakdown)

11:15 am

Estimated Number of Attendees

20

Event Name

Soccer Shots Charleston

Purpose of Event

Weekly Intro to Soccer class primarily for Folly residents, but open to the public. Lasting 6/18-7/30, no sessions on 7/2



City of Folly Beach

Date: June 14th, 2022

Re: Soccer Shots Schedules

Mayor and Council,

Soccer Shots has requested permission for a soccer clinic running from mid June through the end of July. The class would be at the Folly River Park and wrap up by 11:15am. I reviewed Colleen's files and this time and location were previously approved. Given the time of day and the elimination of private reservations for the park I recommend that this recreation program be approved. We will not have time to research and approve alternate vendors before the summer season begins and Soccer Shots has not generated any negative feedback from past camps.

Aaron Pope, AICP
City Administrator

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Tim Goodwin, Mayor



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Adam Barker, Council Member
William Farley, Council Member
Katherine Houghton, Council Member

Eddie Ellis, Council Member
Billy Grooms, Council Member
D.J. Rich, Mayor Pro Tem

City Council Meeting
Tuesday May 10th, 2022
WORK SESSION 6:30 P.M.
EXECUTIVE SESSION 6:45 P.M.
REGULAR MEETING 7:00 P.M.
City Hall
21 Center Street
2nd Floor Council Chambers
Folly Beach, SC 29439

Work Session Agenda 6:30 P.M.

- a. Commercial Activity on The Beach: Franchise Expiration Dates, Franchise Categories, Award Of 2022 Non-Franchise Commercial Activity.

Executive Session 6:45 P.M.

- a. Legal Advice Related to Merger Ordinance

Regular Meeting Agenda 7:00 P.M.

1. CALL TO ORDER/ROLL CALL

2. INVOCATION & PLEDGE OF ALLEGIANCE

- a. Drayton Kappel led the Pledge of Allegiance. Councilmember Houghton led the invocation.

3. MAYOR'S COMMENTS

Mayor Pro-Tem Rich stated that the mayor was attending a funeral.

4. STAFF REPORTS

- a. Aaron Pope, City Administrator. Mr. Pope reviewed the recent RFPs for the Arctic Avenue project. He said that the two bidders that came in were much higher than expected. Mr. Pope asked council if rebidding was an option.

Mayor Pro-Tem Rich motioned to close the bid and not award it. Councilmember Houghton seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes.

- b. Jared Glass, Park Folly. Mr. Glass gave a presentation on a proposed parking rate increase. He stated that the raise will help cover operations and be comparable to surrounding beach communities. Council agreed on a \$.50 increase.
- c. Dr. Nicole Elko gave an update on the ongoing Groin Master. She stated that details can be found on the city's website.
- d. Jenna Stephens, Zoning Administrator. Ms. Stephens reviewed the Planning Commission recommendations for the proposed rezoning. She pointed out that the commission recommended all ordinances be approved except Ordinance 011-22. She explained that the commission is recommending further discussion.

5. APPROVAL OF AGENDA

Councilmember Grooms motioned to approve the agenda. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes.

6. APPROVAL OF PREVIOUS MINUTES OF April 12th, 2022

Councilmember Barker moved to approve the minutes. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes.

7. PERSONAL APPEARANCES (Limited to Five Minutes)

- a. Nancy Hussey, Surfers Healing Camp Date. Ms. Hussey requested the date of August 25th to hold the annual Surfers Healing Camp. Councilmember Farley moved for approval. Councilmember Houghton seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes.

- b. Ryan Burns, Narrow Isle Productions, LLC. Mr. Burns requested approval for commercial filming for May 18th, 19th & 20th. He said that the application has changed slightly since they last met. Mr. Burns explained that there will be some water activities with anchored boats and a Foil. He explained they are not seeking two overnights but rather three long afternoon/evening shoots. Mr. Burns stated that all the supporting agencies are supportive of the changes. Councilmember Groom motioned to approve. Councilmember Barker seconded. Councilmember Houghton asked Chief Gilreath about the proposed bonfire. Chief Gilreath stated that what was presented was a controlled propane fire. He added that the fire can be shut off if needed, unlike a natural burning fire. Councilmember Houghton asked who has the film company donated to in the past and who do they plan on donating to this time. Mr. Burns stated they have given to the Exchange Club, Surfer's Healing, and Turtle Watch. He added that he has been approved and awaiting checks for the same three groups.

Councilmember Houghton listed the other local clubs that may have been overlooked from time to time.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes.

- c. Allison Foster, Save The Light Race. Ms. Foster stated that the race will take place on February 4th, 2023. She added the great working relationships this race has with the local community.

Councilmember Houghton moved for approval. Councilmember Barker seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes.

- d. Non-Franchise

i. Melora Morgan, Serenity Tree Yoga. Not in attendance.

ii. Erin Jones, Waves 4 Women. Ms. Jones asked to continue her non-franchise girls and women therapeutic surf lessons.

Councilmember Houghton moved to approve. Councilmember Barker seconded.

Mayor Pro-Tem Rich stated that their staff needs to be current with their CPR, Lifeguard, and any other certifications.

Ms. Jones stated that they all are up to date.

Mayor Pro-Tem Rich motioned to increase the participant number from 5 to 10 if the staff is up to date with all certifications and meets the ratio requirements. Councilmember Farley seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

Councilmember Farley asked what their schedule will be.

Ms. Jose stated that Tuesday mornings, will be off the beach by 10:00 am,

Thursday evenings, and Saturday mornings again off the beach by 10:00 am.

Waves 4 Women.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

iii. Jenifer Mahanes, Sacred Body Massage & Healing Arts. Ms. Mahanes asked to continue her non-franchise yoga teaching and expand into other areas if possible. She added that She is willing to work with Ms. Morgan on sharing space.

Councilmen Barker moved for approval. Councilmember Farley seconded.

Mayor Pro-Tem said that staff can work with Ms. Mahanes and Ms. Morgan on the spots that will best suit them.

Sacred Body Massage & Healing Arts

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

- iv. Charlie Waterman, The Rite Company. Mr. Waterman stated that he took over the operations in 2020. He asked to continue his non-franchise yoga business. Councilmember Houghton motioned to approve. Councilmember Barker seconded.

The Rite Company

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

- v. Kyle Boosey, Carolina Salt. Mr. Boosey asked to continue is non-franchise surfing business and the ability to take on 10 participants rather than the current allowed 5. Councilmember Ellis motioned to approve. Councilmember Grooms seconded. Mayor Pro-Tem stated that they just granted the increase of participants to 10.

Carolina Salt

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

Councilmember Farley stated he did not want Ms. Morgan to miss out on the opportunity to teach and continue her yoga business because she missed the meeting. Councilmember Farley motioned to approve Melora Morgan, Serenity Tree Yoga and work with staff on location details. Councilmember Groom seconded.

Serenity Tree Yoga

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

8. CITIZENS' COMMENTS

- a. Skip Fink, 607 W. Beach Crt. Mr. Fink introduced council to the newly formatted Folly Residents Association. He stated that this is a group of voting residents that would like to be a collective voice rather than individuals speaking alone.
- b. Pam Barton, 304 Shadow Race Ln. Ms. Barton discussed the formation of the Folly Residents Association and the need for this group.
- c. Hank Weed, 122 E Ashley. Mr. Weed stated his concerns about the setbacks that are being addressed in Ordinance 011-22.
- d. Richard Parker, 1029 W. Ashley. Mr. Parker stated that he has concerns about the rezoning discussion and that this will cause a loss in the value of his property. He stated that compensation should be given to anyone that is effect by this rezoning. He explained grandfathering properties in or letting them submit for a variance. Mayor Pro-Tem Rich stated that there is a board called the Board of Zoning Appeals that handles variances request and he has the right to appeal to them.
- e. Elizabeth Walter, 119 E. Cooper. Ms. Walter requested council to vote no on Ordinance 011-22.
- f. Carl Wolff, 114 E. Ashley. Mr. Wolff stated that he has always wanted to build a house on their lot but now with the restrictions that might not happen.

- g. Kelly Olive, 640 White Chapel Cir. Raised concerns about the restrictions about the proposed STR restrictions. She added STR owners need to be a part of the conversation.
Mayor Pro-Tem Rich stated that there was a committee that had public, STR owners, council members on it. And that is these recommendations being discussed today.
- h. Neal Brugal, 1702 E. Ashely. Mr. Brugal stated that taking away property rights is a big deal and this can affect people's real life.
- i. Darlene Rawls, 5 Red Sunset Ln. Mr. Rawls raised concerns about the event house. She added that the impact of the event houses on the community, environment, city resources is becoming too much and should be done away with.
- j. Dr. Diana Vincent, 1008 E Arctic. Dr Vincent asked where is the city keeping the information and how can they communicate this to the public.
Mayor Pro-Tem Rich stated that all the information has been on the website and that all staff and council members are willing and wanting to discuss this topic with anyone.
- k. Regina Kozek, 301 E. Huron. Ms. Kozek stated that Folly is their home and they should be able to use their home to help subsidize their living.
- l. Will Sneed, 437 W. Indian. Mr. Sneed stated that he owns a downtown commercial property and if he ever wants to sell it that he wants to sell it a downtown price.
- m. Patrick Rybas, 217 W. Hudson. Mr. Raybas stated that he owns two rentals on Folly and has set up their family on the STR income. If restricted, this could gravely affect his family.
- n. Michael Keck, 912, W Ashley. Mr. Keck stated that council needs to take a second look at the fees being charged for STRs.
- o. Beth Corrigan, 501 W. Beach Ct. Ms. Corrigan asked what will be the next steps.
Mayor Pro-Tem Rich stated that council is still in the discussion phase and there could be other work sessions planned.
- p. Karen Mallia, 322 W. Hudson. Ms. Mallia stated that council needs to take into consideration the night minimum. That the one night and two nights are the real problems. She added someone needs to protect the long-term renters they are the other local.
- q. Tim, 110 W Cooper. Tim stated that the state is discussing rules to prohibit local governments taking away individuals property rights and to pay close attention.

9. COMMISSION, BOARD, COMMITTEE REPORTS

10. OLD BUSINESS

- a. **Ordinance 039-21:** An Ordinance Amending Chapter 161 (Definitions) Section 161.02 (Definitions) And Chapter 166 (Development Standards) Section 166.05-03 (Single- And Two-Family Design Standards) Limiting the Number of Interior Kitchens to One Per Dwelling Unit. **(SECOND READING)**
Councilmember Fraley moved for approval. Councilmember Barker seconded.
Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis No, Yes; Mayor Pro-Tem Rich, No.
Motion Passes, 4-2.
- b. **Ordinance 002-22:** An Ordinance Amending Section 168.05 Nonconforming Signs to Allow Nonconforming Off Premise Signs in The Marsh Older Than Twenty-Five Years to Remain Subject to All Nonconformity Regulations. **(SECOND READING)**
Councilmember Farley moved for approval. Councilmember Grooms seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes.

- c. **Ordinance 003-22:** An Ordinance Amending Chapter 164 (Use Standards) Section 164.03-03 (Commercial Uses) To Require a Restroom and Trash Receptacles for Lots with Outdoor Retailers. **(SECOND READING)**

Councilmember Houghton moved for approval. Councilmember Barker seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes.

- d. **ORDINANCE 006-22:** An Ordinance to Amend the Qualifications of Board and Commission Members to Include a Pre-Appointment Background Check Similar to Those Conducted for City Employees. **(SECOND READING)**

Councilmember Ellis moved for approval. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, No.

Motion Passes, 6-1.

- e. **ORDINANCE 007-22:** An Ordinance Exempting Non-Conforming Multifamily Uses in The Residential Two-Family District from The Substantial Damage Rule by Amending Section 168.02-05 Reconstruction After Casualty Damage. **(FIRST READING)**

Councilmember Farley moved for approval. Councilmember Barker seconded. Councilmember Barker asked why is there a difference being made in the ordinance between a natural catastrophic event vs an act of God.

Ms. Stephens stated that this is not new language, that this has been a part of the Code for some time.

Mr. Pope stated that if council would like to change the language in Section (A), this would require a new ordinance. However, council could amend the language in Section (B) at this moment.

Councilmember Barker moved to amend Section (B) to remove the word natural. Councilmember Farley seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

Councilmember Barker moved to amend section (B) to remove the 12-month time frame and replace it with a 24-month time frame. Mayor Pro-Tem Rich seconded. Councilmember Farley asked after a permit is pulled how long does one have before work has to start.

Mr. Lutz stated 180 days, with extensions if needed.

Councilmember Ellis asked if the 24-month time frame start when the permit is issued.

Mayor Pro-Tem Rich stated that it would be from the time of damage.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, No; Councilmember Houghton, No; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

Motion Passes, 4-2

ORDINANCE 007-22:

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

- f. **ORDINANCE 008-22:** An Ordinance Rezoning the Following Parcels Located in the 2nd Block West Between Ashley and Arctic Avenues from Island Commercial to Residential Two Family and Amending the Official Zoning Map to Reflect Such Change. **(FIRST READING)**

Councilmember Barker moved for approval. Councilmember Farley seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Mayor Pro-Tem Rich, Yes.

Motion Passes, 5-1.

- g. **ORDINANCE 009-22:** An Ordinance Amending the Dimensional Standards of The Island Commercial District by Amending Table 165.01 (Dimensional Standards) To Increase the Required Setbacks and Set the Maximum Height At 40' Feet or Three Stories. **(FIRST READING)**

Councilmember Barker moved for approval. Councilmember Farley seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Mayor Pro-Tem Rich, Yes.

Motion Passes, 5-1.

- h. **ORDINANCE 010-22:** An Ordinance Rezoning the Following Parcels from Downtown Commercial to Island Commercial and Amending the Official Zoning Map to Reflect Such Change. **(FIRST READING)**

Councilmember Grooms moved for approval. Councilmember Barker seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Mayor Pro-Tem Rich, Yes.

Motion Passes, 5-1.

- i. **ORDINANCE 011-22:** An Ordinance Amending the Standards of The Downtown Commercial District by Amending Table 164.01 (Table of Uses) To Eliminate Multifamily Use and Table 165.01 (Dimensional Standards) To Increase the Required Setbacks and Set the Maximum Height At 40' Feet or Three Stories.

(FIRST READING)

Councilmember Barker moved for approval. Councilmember Farley seconded.

Mayor Pro-Tem Rich stated that this is the ordinance that the Planning Commission tabled. He explained that council can vote it up, down, or postpone it. He explained that if postponed, there is a time frame for the Planning Commission to respond and then return to Council for a vote.

Councilmember Ellis moved to postpone Ordinance 011-22. Councilmember Houghton seconded.

Councilmember Farley asked if the commission has 30 days to respond.

City Attorney Wilson said pretty much what is happening is council is postponing until the next meeting. In the meantime, the Planning Commission will need to meet.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

- j. **Ordinance 012-22:** An Ordinance Creating the Center Street Overlay Zoning District. **(FIRST READING)**
Councilmember Farley moved for approval. Councilmember Grooms seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Mayor Pro-Tem Rich, Yes.
Motion Passes, 5-1.
- k. **ORDINANCE 013-22:** An Ordinance Rezoning the Following Parcels from Island Commercial to Downtown Commercial Amending the Official Zoning Map to Reflect Such Change. **(FIRST READING)**
Councilmember Barker moved for approval. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Mayor Pro-Tem Rich, Yes.
Motion Passes, 5-1.
- l. **ORDINANCE 014-22:** An Ordinance Rezoning the Following Parcels by Including Them in The Center Street Overlay District Amending the Official Zoning Map to Reflect Such Change. **(FIRST READING)**
Councilmember Barker moved for approval. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Mayor Pro-Tem Rich, Yes.
Motion Passes, 5-1.
- m. **Ordinance 015-22:** An Ordinance Amending Chapter 166 Of the Folly Beach Code of Ordinances (Development Standards) By Creating Section 166.13 Pedestrian Improvements to Require the Construction of Pedestrian Improvements in The Right of Way Upon Development or Substantial Improvement of Structures Located on Parcels in The Commercial District in Areas for Which City Council Has Approved a Conceptual Design for Multiuse Paths.
(FIRST READING)
Councilmember Barker moved for approval. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Mayor Pro-Tem Rich, Yes.
Motion Passes, 5-1.
- n. **Ordinance 016-22:** An Ordinance Amending Section 153.06 (Permission from The City Is Required for Some Special Events on Public Property) Of the Folly Beach Code of Ordinances by Reducing Requirements for Additional Liability Insurance for Festivals From \$2,000,000 To \$1,000,000. **(SECOND READING)**
Councilmember Ellis moved for approval. Councilmember Grooms seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

11. NEW BUSINESS

- a. **Ordinance 017-22:** An Ordinance Creating a New Franchise for Beachfront Commercial Activity to Allow for The Rental and Delivery of Wedding Chairs.

(FIRST READING)

No motion was made. Ordinance Fails.

- b. **Resolution 14-22:** A Resolution by the Folly Beach City Council Amending the Adopted FY22 Budget Containing Estimates of Proposed Revenues and Expenditures for the Tourism and Visitors Promotion Committee (TVPC) Beginning July 1, 2021, and Ending June 30, 2022.

Councilmember Grooms moved for approval. Councilmember Barker seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

- c. **Resolution 15-22:** A Resolution by The Folly Beach City Council Extending the Expiration Date of Paddleboard and Surf Camp Franchises from December 2022 to May 2023.

Councilmember Grooms moved for approval. Councilmember Farley seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

- d. **Resolution 16-22:** A Resolution by The Folly Beach City Council Extending the Expiration Date of Beach Chair/Umbrella Rental and Personal Watercraft Rental Franchises from February 2026 to May 2026.

Councilmember Grooms moved for approval. Councilmember Farley seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

- e. **Resolution 17-22:** A Resolution by The Folly Beach City Council Authorizing the City Attorney to Sign a Tolling Agreement with The Owners Of 1677 East Ashley.

Councilmember Farley moved for approval. Councilmember Houghton seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Mayor Pro-Tem Rich, Yes.

All in Favor. Motion Passes

12. CITY COUNCIL COMMENTS

Councilmember Groom stated that Memorial Day is coming up, and keep those in mind who had served in our armed forces.

Councilmember Ellis thanked Mayor Pro-Tem Rich for leading the meeting.
Councilmember Houghton said that the Civic Club will be meeting, and all are welcome.

13. ADJOURNMENT



South Carolina Department of Labor, Licensing and Regulation

Office of State Fire Marshal

141 Monticello Trail • Columbia, S.C. 29203. Phone: (803) 896-9800

www.statefire.llr.sc.gov



PERMIT APPLICATION

Permit Type PYROTECHNIC DISPLAY/COMMERCIAL OUTDOOR DISPLAY PERMIT/30 DAY MAXIMUM		Record Number P-22-000760	Status APPROVED
Authority Having Jurisdiction FOLLY BEACH DEPARTMENT OF PUBLIC SAFETY	Acknowledged By FRANKLIN R BURKE	Acknowledgement Date 05/23/2022	To be Valid During 07/04/2022 to 08/03/2022
Location Name FOLLY BEACH INDEPENDENCE DAY		Location Address 3RD ST W, FOLLY BEACH, SC 29439	
Location Phone (843) 296-7190		Directions to Site	
Firm Name MUNNERLYN PYROTECHNICS		Firm Address 255A CHARTER OAK RD, LEXINGTON, SC 29072	
Contact Person RENEE CANNON	Phone (504) 470-6383	Alt Phone (803) 261-8615	Email RENEE@MUNNERLYNPYRO.COM

Operators/Suppliers		
License Type	License #	Name
Pyrotechnic Operator Commercial Outdoor	715	BRYAN G GARY
Pyrotechnic Operator Commercial Outdoor	619	CHRISTOPHER B MUNNERLYN
Pyrotechnic Operator Commercial Outdoor	680	JOSEPH S NUNNALLY

Dates of Display					
Date of Display	Alternate Date	Display Time	Display Duration	Date Receiving	Inspection Ready Date & Time
07/04/2022	07/05/2022	9:30PM	25 MINUTES	07/04/2022	07/04/2022 7:00PM

Pyrotechnics to be Used						
Size	Mortar Type	Rack Construction	Number of Shells	Chain Fuse	Salutes	Method of Firing
3 INCH	HDPE	WOOD FRAME	700	YES	YES	ELECTRONIC
2 INCH	PAPER	CAKE	100	NO	NO	ELECTRONIC



South Carolina Department of Labor, Licensing and Regulation

Office of State Fire Marshal

141 Monticello Trail • Columbia, S.C. 29203. Phone: (803) 896-9800

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PERMIT APPLICATION

Appeal Notice:

This permit is only valid at the location applied for and when in compliance with South Carolina Code of Laws, Code of Regulations R.71-8305.5, Currently adopted IFC, NFPA 1123, and shall only be amended with a "Request to Modify an Existing Pyrotechnic Display Permit" application. State Fire may revoke, suspend, or deny a permit because of, but not limited to: a. The display operator does not possess the correct license classification for the display; orb. Not complying with any order written by the OSFM; orc. Violating the terms of the permit or essential changes in the conditions under which the permit was issued without prior approval of the OSFM; ord. Giving false information or making a misrepresentation to obtain a permit. Permits must be posted at the display site. All pyrotechnics shall be purchased from a pyrotechnic manufacturer or distributor licensed by the Board of Pyrotechnic Safety. A licensed Public Display Operator shall be present and supervise firing of all public fireworks displays. The operator shall have their license in their possession when conducting a display and shall exhibit their license on request of any AHJ. Public Liability Insurance in the amount of \$1,000,000 shall be maintained through the event. The policy must list as an additional insured the display sponsor, as well as the State of South Carolina, and its agents. The coverage company must be an insurer which is either licensed by the DOI in this State or approved by the DOI as a nonadmitted surplus lines carrier for risks located in this State. In the event the liability insurance is canceled, suspended, or nonrenewed, the insurer shall give immediate notice to the OSFM. Magazine logs shall be available for inspection during normal work hours, 1 hour before, and 1 hour after each performance. Operators must notify the OSFM within 24 hours of any fires or thefts involving fireworks. The operators shall provide the OSFM with a copy of the report filed with the police department or the incident report from the fire department. Operators must also provide the OSFM with a copy of ATF Form 5400.5. Any person who violates any provision of these laws and regulations will purchase the appropriate permit, pay the appropriate license fee, if any are required, and be subject to the following penalty provisions: a. S.C. Code Ann. Section 23-36-170, 1976, as amended. b. S.C. Code Ann. Section 23-35-150, 1976, as amended. Confiscation, storage, or disposal of fireworks, pyrotechnic and explosive materials used for proximate audience or public firework displays by the SFM shall comply with S.C. Code Ann. Section 23-36-110, 1976, as amended. Where unusual conditions exist, the AHJ may increase the minimum clearances as necessary before granting approval of the display site. The AHJ may not reduce clearances specified in NFPA 1123 without written approval of the OSFM. 7. It shall be the responsibility of the permittee to arrange with the AHJ for the detailing of firefighters and equipment as required.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/9/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 E-MAIL ADDRESS: info@brittongallagher.com FAX (A/C, No): 216-658-7101														
INSURED Munnerylyn Pyrotechnics 808 Highway 378 STE A Lexington SC 29072	<table><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A : Everest Indemnity Insurance Co.</td><td>10851</td></tr><tr><td>INSURER B : Everest Denali Insurance Company</td><td>16044</td></tr><tr><td>INSURER C : Axis Surplus Lines Insurance Co.</td><td>26620</td></tr><tr><td>INSURER D :</td><td></td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Everest Indemnity Insurance Co.	10851	INSURER B : Everest Denali Insurance Company	16044	INSURER C : Axis Surplus Lines Insurance Co.	26620	INSURER D :		INSURER E :		INSURER F :	
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INSURER F :															

COVERAGES

CERTIFICATE NUMBER: 2128303693

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC ☐ OTHER:			SI8ML02549-221	4/29/2022	4/29/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS			SI8CA00294-221	4/29/2022	4/29/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$			P-001-000875153-01	4/29/2022	4/29/2023	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y/N ☒ N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

Display Date: 7/4/22 Rain Date: 7/5/22 Location: One beach south of Folly Beach Pier

RE: General Liability, the following are named as additional insured in respects to the negligence of the named insured:

Labor, Folly Beach Association of Business; PO Box 1816, Folly Beach SC 29439;

City of Folly Beach, 21 Street Center, Folly Beach SC 29439;

FAB - Folly Association of Business PO Box 1816 Folly Beach, SC 29439

Folly Beach Fire Department

State of SC and its Agents

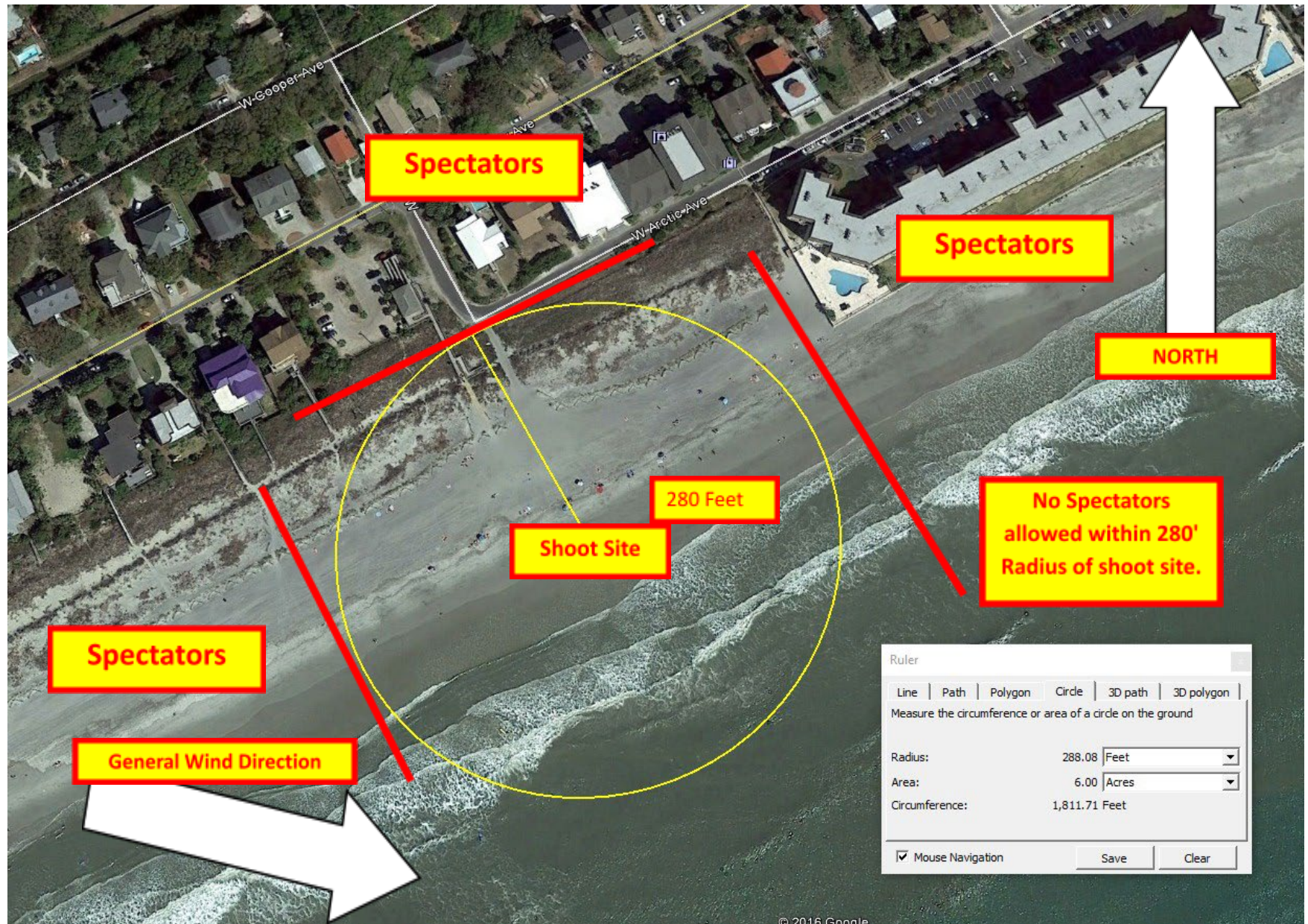
CERTIFICATE HOLDER**CANCELLATION**

State of SC and its Agents
141 Monticello Trail
Columbia SC 29203
United States

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Folly Beach Shoot Site - Munnerlyn Pyrotechnics



Save the Date Requests
Folly Association of Business

NYE Fireworks: December 31, 2022/January 1, 2023

Polar Bear Plunge: January 1, 2023

Taste of Folly: Saturday Jan. 14, 2023 [rain date Saturday Jan. 21, 2023]

Sea and Sand Festival: Saturday Feb. 25, 2023 [rain date Saturday March 4, 2023]

Fourth of July fireworks: July 4, 2023

Folly's 50th Birthday Celebrations: Saturday September 23, 2023 and Saturday September 30, 2023 [rain date Saturday Oct. 7, 2023]

Notes:

- The two fireworks displays would not require a street closure and would be held on 3rd Block West.
- The Polar Bear plunge request is for use of the beach in front of the Tides [can move this based on pier construction to 3rd Block West].
- The other requests are for a street closure [Taste of Folly, Sea and Sand and Folly's 50th Birthday celebration on Sept 30th].
 - We are only requesting to restrict parking on Center Street on Saturday September 23rd].
 - The birthday celebrations will replace Mermaid's and Matey's in 2023 only.



New Year's Eve Fireworks

New Year's Eve fireworks display. We will rope off 3rd block west parking lot; Brent Munnerlyn and his pyrotechnicians will arrive around 12pm. They will set up the trailer. We will have security guards coming to help rope off beach and keep people from entering the fireworks area. The pyrotechnicians will move to the beach in the midafternoon to set up the display. We will bring in additional security in the evening to ensure no one enters the safe perimeter area around the display. Show time at 12am. Security will stay until 1am and help keep people back and control crowds. Munnerlyn pyrotechnics will do a beach sweep that night and stay overnight at the Tides or other nearby hotel. A coordinated beach sweep between Munnerlyn pyrotechnics and FAB will take place in the morning to ensure there is no remaining firework debris on the beach.

FAB will also supply some additional security on Center Street during the City's scheduled street closure for the Flip Flop Drop.

Polar Bear Plunge

A polar bear plunge is our event held on New Year's Day to celebrate the New Year by jumping into the ocean in an organized fashion. This is typically accompanied by a costume contest. This event takes place on the beach behind the Tides Hotel. This event will be dependent on the tides. We are expecting low tide around 10am and high tide around 4pm; so the event will take place late morning. FAB will secure sufficient security personnel for crowd control management.

Taste of Folly

Family friendly event to celebrate the Folly Beach culinary scene. Will feature live music across 3 stages, 50 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 6:00 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 this; FAB plans to run the Taste Passport program for a couple weeks surrounding this street closure event and will run the annual "cocktail competition" on private property on Friday 1.13.23.

Sea and Sand

Folly's oldest street closure event to celebrate to kick off spring! This will be its 31st year! 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 6:00 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 to take place beach side (in front of Tides) on Sunday, February 26 from 9 am to 1 pm. The Sand Castle competition will be free to participate as well as spectate with an anticipated 12 participants.

Fourth of July Fireworks

Fourth of July fireworks display request. We will rope off 3rd block west parking lot; Brent Munnerlyn and his pyrotechnicians will arrive around 10am. They will set up the trailer. We will have security guards coming to help rope off beach and keep people from entering the fireworks area first thing in the morning. The pyrotechnicians will move to the beach in the mid-afternoon to set up the display. We will bring in additional security in the evening to ensure no one enters the safe perimeter area around the display. Show time at dusk around 9pm. Security will stay until 11pm and help keep people back and control crowds. Munnerlyn pyrotechnics will do a beach sweep that night and stay overnight at the Tides or other nearby hotel. A coordinated beach sweep between Munnerlyn pyrotechnics and FAB will take place in the morning to ensure there is no remaining firework debris on the beach.

Folly's 50th Birthday Celebrations

Our vision of this event spans 1 week bookended by two larger weekend events to kick off the event and to close the event. We plan to feature the following events:

Kick-Off Event – Folly Through the Decades:

Each block of Center Street will be assigned a different decade [between 1970 – 2020]. All restaurants and businesses will be encouraged to match the decade they are assigned [clothing, food selections, music, pricing, etc.]. We would like to restrict public parking on center street; so we can park cars matching each decade on those blocks in the parking spots.

FAB will secure additional security to support the police in this event. If it is preferred for this to be a street closure event; we are happy to explore that possibility.

Street Closure 2 - Closing Event:

We want to provide a boardwalk/amusement park feel to center street. Will feature an arcade gaming area, live music, arts, crafts & food vendors [fair foods], multiple kid's areas, and other entertainment. We do plan to bring in some larger rides for this event [ferris wheel, scrambler, tea cups, or similar]. 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 7 pm [we need to confirm exact timing as the removal of rides may take more time]. 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.

Other Planned Events:

- 50th Gala at the Tides
 - Black Tie Gala
- Shagging/Dancing on the Pier
 - Music and dancing
- Folly Family/Kids Event [Riverfront Park or similar]
 - Tie-dying shirts, shell painting, photobooths, performers, etc.
- Resident Brunch/Celebration of History [Community Center/Baptist church or similar]
 - Brunch, share stories of Folly's past, feature historical artifacts & photos, etc.
- Beach Games/Competitions
 - Beachfront w/tug-o-war; sand castles, half rubber, bocce, etc.]
- Business & Resident private party [Sunset Cay/Pelican Watch/similar] – invitation only
 - Reception thanking and honoring businesses and residents with appetizers, cocktails and cutting of a 50th cake by the Mayor!

Which best describes your event? Select all that apply.

- Other events on the beach (photo shoot, sporting events, fundraisers, etc)

-

Main Contact

Susanna Crestetto

Owner Name

N/A

Cell Phone

(252) 908-3151

Organization (if applicable)

American Lung Association

Address

1964 Ashley River Road, Ste. B #80338
Charleston, South Carolina 29416
United States
[Map It](#)

Email

Susanna.Crestetto@Lung.org

Alternate Contact

Margaret Ann Youngs

Alternate Contact Cell Phone

(843) 814-1415

Event Location

Folly Beach County Park - The Dunes House & The Dunes House beach access
United States
[Map It](#)

Reservation Date

10/15/2022

Beginning Time (including setup)

06:00 am

End Time (including breakdown)

11:00 am

Estimated Number of Attendees

300

Start Date

10/15/2022

End Date

10/15/2022

Event Name

LUNG FORCE Run/Walk

Purpose of Event

The American Lung Association's annual LUNG FORCE Run/Walk brings together community members and partners to help fund vital local lung health programs, lung disease research including our COVID-19 Action Initiative, and advocacy efforts for clean air in South Carolina communities.

Description of Event

The LUNG FORCE Run/Walk is an annual fundraising event put on by the American Lung Association in South Carolina. We have been fortunate to hold this event at Folly Beach for over a decade. In previous years, our certified 5K started on E. Arctic Avenue, and we had tents and booths set up in the Folly Beach Pier parking lot as well as a breakfast and small awards ceremony on the pier. Last year we held our Run/Walk at The Dunes House with participants running/walking on the beach. We are requesting to hold the race on the beach again this year, starting at the beach access at the Dunes House at Folly Beach County Park. Participants will have the option to run or walk in the direction of the Folly Beach Pier and turn around at the 5K halfway mark (approximately 1.55 miles), finishing at The Dunes House. The Dunes House will be used for tables set up with lung disease resource materials and a grab-and-go breakfast.

LUNG FORCE brings the community together to stand for lung health and against lung cancer. We are so grateful for the opportunity to host this event at Folly Beach over the years with support from local residents and business owners. We are also thankful for the ban on smoking to help eliminate cigarette litter at Folly Beach.

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

The LUNG FORCE 5K brings together members of the community across the Lowcountry to run or walk in support of promoting lung health and preventing lung disease. We have been extremely grateful and have enjoyed holding this event at Folly Beach for so many years.

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

No

Is this event a sporting event?

No

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

Reply

I would like to ask the city for the use of the River Park gazebo / Community Center (during the winter and during inclement weather) on Wednesdays 7-8:30 and on Fridays 6-9 for Community Yoga, Movement and Meditation.

I would also like to request permission to teach beach yoga to the east side of 3E. This location has parking as several of our community member drive cars or golf carts to

Class. I have been grant permission to teach at the 13 block and share the space with Melora but would love to be able to also teach on the east side of the 3rd block.

I intend to teach sunrise /sunset yoga and meditation. Our classes would be outside of high traffic beach time as the temperatures on the beach become too hot during that “prime beach time” to be safe for our yoga community!

I believe every day here on the island is a gift! I feel it is a great honor to share my passion for yoga and wellness with my community.

Thank you for your time and consideration.



In Oneness, Love, & Light,
Sacred Body Massage & Healing Arts
Jenifer Mahanes, LMT, YT



CITY OF FOLLY BEACH

1st Reading: May 10th, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: May 10th, 2022

ORDINANCE 007-22

AN ORDINANCE EXEMPTING NON-CONFORMING MULTIFAMILY USES IN THE RESIDENTIAL TWO FAMILY DISTRICT FROM THE SUBSTANTIAL DAMAGE RULE BY AMENDING SECTION 168.02-05 RECONSTRUCTION AFTER CASUALTY DAMAGE.

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,

§ 168.02-05 Reconstruction After Casualty Damage.

(A) In the event a structure housing a nonconforming use in the RMF, DC, or IC Districts is damaged to an extent up to or greater than 50% of its assessed value at the time of damage through an Act of God or other natural catastrophic event, such use may be reconstructed to its state immediately prior to the Act of God or other catastrophic event resulting in its damage, provided that a new nonconforming use is not created. Reconstruction shall be initiated within 24 months of the damage, and shall be in accordance with all applicable state and federal laws.

(B) **In the event a structure housing a nonconforming multifamily use in the RTF District is damaged to an extent up to or greater than 50% of its assessed value at the time of damage through an Act of God or other natural catastrophic event, such use may be reconstructed to its state immediately prior to the Act of God or other catastrophic event resulting in its damage, provided that a new nonconforming use is not created. Reconstruction shall be initiated within 24 months of the damage, and shall be in accordance with all applicable state and federal laws.**

~~(B)~~ (C) In restoring ~~the structure~~ **such structures**, changes are permitted that reduce the degree or extent of the nonconforming use.

§ 168.03-05 Reconstruction after Damage.

(A) *More than 50% of pre-damaged market value.* In the event a nonconforming structure is damaged or destroyed, by any means, to the extent of 50% of its market value prior to such destruction, such structure shall not be restored unless in conformance with the standards for the zoning district in which it is located except that structures legally permitted prior to March 1, 2019 which are situated 15 feet or less from the OCRM critical line shall be allowed a ten-foot setback from the OCRM critical line. The footprint of any structure restored under this exemption may not be enlarged in such a manner that the area of the footprint within the 15-foot setback from the OCRM critical line or the total square footage of the structure is larger than its pre-damaged state. Structures located in RMF, DC, IC, and RFT Districts that are damaged by an Act of God or other catastrophic event have a limited exception to this provision as set forth in Section 168.02-05.

(B) *Less than 50% of pre-damaged market value.* Except for homes exceeding the maximum square footage in § [166.05-03](#), Single- and Two-Family Residential Design Standards, a nonconforming structure that is damaged or destroyed, by any means, to an extent of less than 50% of its market value prior to such damage or destruction, it may be restored to its pre-damaged state provided reconstruction is initiated within ~~12~~ 24 months and provided the reconstruction complies with all other city ordinances as well as all state and federal laws and does not create any new nonconformities.

(C) *Homes exceeding maximum square footage.* An existing home exceeding the maximum square footage in § [166.05-03](#), Single- and Two-Family Residential Design Standards, damaged to an extent beyond 50% of its pre-damaged market value shall be reconstructed in accordance with the size limitations in this ZDO. A special exception permit (See § [163.03-03](#)) shall be required to reconstruct the home to its original square footage.

(Ord. 05-10, passed 3-23-10; Am. Ord. 035-21, passed 12-14-21)

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: May 10th, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: May 10th, 2022

ORDINANCE 008-22

AN ORDINANCE REZONING THE FOLLOWING PARCELS LOCATED IN THE 2nd BLOCK WEST BETWEEN ASHLEY AND ARCTIC AVENUES FROM ISLAND COMMERCIAL TO RESIDENTIAL TWO FAMILY AND AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE:

TMS: 328-14-00-160 (7 W 2nd Street, Winge Revocable Living Trust)

TMS: 328-14-00-159 (201 W 2nd Street, Glenda Vines)

TMS: 328-14-00-159 (204 W Arctic, William LeJuene)

TMS: 328-14-00-156 (206 W Arctic, R Parker Properties, LLC)

TMS: 328-14-00-155 (208 W Arctic, Robert Clair)

TMS: 328-14-00-154 (210 W Arctic, Ryan Condon)

TMS: 238-14-00-238 (210 W Arctic A, Jack Mills)

TMS: 328-14-00-239 (210 W Arctic B, Jonathan Gullick Trust)

TMS: 328-14-00-240 (210 W Arctic C, John Brown Trust)

TMS: 328-14-00-152 (Ocean Point Development, LLC)

TMS: 328-14-00-439 (212 W Arctic 101, Larks Beach, LLC)

TMS: 328-14-00-440 (212 W Arctic 102, Al-John, LLC)

TMS: 328-14-00-441 (212 W Arctic 103, Tolman Salisbury Family LP)

TMS: 328-14-00-442 (212 W Arctic 104, William King)

TMS: 328-14-00-443 (212 W Arctic 105, Summer Winds, LLC)

TMS: 328-14-00-444 (212 W Arctic 106, Stephen Roseburg Trust)
TMS: 328-14-00-445 (212 W Arctic 107, Nick Leventis)
TMS: 328-14-00-446 (212 W Arctic 201, Ernest Spevak)
TMS: 328-14-00-447 (212 W Arctic 202, Kathleen Case)
TMS: 328-14-00-448 (212 W Arctic 203, Michael McDade)
TMS: 328-14-00-449 (212 W Arctic 301, Raymond Cobb)
TMS: 328-14-00-450 (212 W Arctic 302, Arctic Ventures LLC)
TMS: 328-14-00-151 (216 W Arctic, Daniel Waldeck)
TMS: 328-14-00-352 (216 W Arctic 1, SCB Bouffard Properties, LLC)
TMS: 328-14-00-353 (216 W Arctic 2, William and Jennifer Taylor Trust)
TMS: 328-14-00-354 (216 W Arctic 3, Tara Browne)
TMS: 328-14-00-355 (216 W Arctic 4, Schroon, LLC)
TMS: 328-14-00-356 (216 W Arctic 5, Seacoast Number Five, LLC)
TMS: 328-14-00-357 (216 W Arctic 6, Brenda Balchin)
TMS: 328-14-00-358 (216 W Arctic 7, Anand Talwar)
TMS: 328-14-00-359 (216 W Arctic 8, Elizabeth Roesler)
TMS: 328-14-00-360 (216 W Arctic 9, ACME Property Development, LLC)
TMS: 328-14-00-150 (218 W Arctic Holsberg Trust)
TMS 328-14-00-149 (220 W Arctic, Cynthia Campbell)

WHEREAS, The area described by this ordinances is shown as commercial on the Future Land Use Map adopted in the *2015 Comprehensive Plan*; and

WHEREAS, The City now desires to amend the boundaries of commercial districts to more appropriately regulate growth; and

WHEREAS, The development of this block has been primarily residential in nature and the City wishes to further encourage residential uses.

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

That the Zoning Map of the City of Folly Beach be amended to reflect the rezoning of the following parcels from Island Commercial to Residential Two Family:

TMS: 328-14-00-160 (7 W 2nd Street, Winge Revocable Living Trust)

TMS: 328-14-00-159 (201 W 2nd Street, Glenda Vines)

TMS: 328-14-00-159 (204 W Arctic, William LeJuene)

TMS: 328-14-00-156 (206 W Arctic, R Parker Properties, LLC)

TMS: 328-14-00-155 (208 W Arctic, Robert Clair)

TMS: 328-14-00-154 (210 W Arctic, Ryan Condon)

TMS: 238-14-00-238 (210 W Arctic A, Jack Mills)

TMS: 328-14-00-239 (210 W Arctic B, Jonathan Gullick Trust)

TMS: 328-14-00-240 (210 W Arctic C, John Brown Trust)

TMS: 328-14-00-152 (Ocean Point Development, LLC)

TMS: 328-14-00-439 (212 W Arctic 101, Larks Beach, LLC)

TMS: 328-14-00-440 (212 W Arctic 102, Al-John, LLC)

TMS: 328-14-00-441 (212 W Arctic 103, Tolman Salisbury Family LP)

TMS: 328-14-00-442 (212 W Arctic 104, William King)

TMS: 328-14-00-443 (212 W Arctic 105, Summer Winds, LLC)

TMS: 328-14-00-444 (212 W Arctic 106, Stephen Roseburg Trust)

TMS: 328-14-00-445 (212 W Arctic 107, Nick Leventis)

TMS: 328-14-00-446 (212 W Arctic 201, Ernest Spevak)

TMS: 328-14-00-447 (212 W Arctic 202, Kathleen Case)

TMS: 328-14-00-448 (212 W Arctic 203, Michael McDade)

TMS: 328-14-00-449 (212 W Arctic 301, Raymond Cobb)

TMS: 328-14-00-450 (212 W Arctic 302, Arctic Ventures LLC)

TMS: 328-14-00-151 (216 W Arctic, Daniel Waldeck)

TMS: 328-14-00-352 (216 W Arctic 1, SCB Bouffard Properties, LLC)

TMS: 328-14-00-353 (216 W Arctic 2, William and Jennifer Taylor Trust)

TMS: 328-14-00-354 (216 W Arctic 3, Tara Browne)

TMS: 328-14-00-355 (216 W Arctic 4, Schroon, LLC)

TMS: 328-14-00-356 (216 W Arctic 5, Seacoast Number Five, LLC)

TMS: 328-14-00-357 (216 W Arctic 6, Brenda Balchin)

TMS: 328-14-00-358 (216 W Arctic 7, Anand Talwar)

TMS: 328-14-00-359 (216 W Arctic 8, Elizabeth Roesler)

TMS: 328-14-00-360 (216 W Arctic 9, ACME Property Development, LLC)

TMS: 328-14-00-150 (218 W Arctic Holsberg Trust)

TMS 328-14-00-149 (220 W Arctic, Cynthia Campbell)

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: May 10th, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: May 10th, 2022

ORDINANCE 009-22

AN ORDINANCE AMENDING THE DIMENSIONAL STANDARDS OF THE ISLAND COMMERCIAL DISTRICT BY AMENDING TABLE 165.01 (DIMENSIONAL STANDARDS) TO INCREASE THE REQUIRED SETBACKS AND SET THE MAXIMUM HEIGHT AT 40' FEET OR THREE STORIES

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,

§ 165.01-02 Dimensional Standards in the Zoning Districts.

Unless otherwise specified, all principal and accessory structures in the zoning districts are subject to the dimensional standards set forth in [Table 165.01](#), Dimensional Standards.

TABLE 165.01: DIMENSIONAL STANDARDS (1)

ZONING DISTRICT/USE	LOT AREA				SETBACKS (2)			MAX. HEIGHT (9)
	Density (DU/Sq. Ft.)	Max. Lot Coverage	Min. Lot Area	Min. Lot Width	Front (Ft)	Each Side (Ft)	Rear (Ft)	

		(Sq. Ft.)	<i>h</i> (Ft)				
--	--	--------------	------------------	--	--	--	--

ISLAND COMMERCIAL (IC)

Single- and two- family uses	1/10,500 (up to 4 per acre max.)	35 % (3)	10,500	70	10	≤ 10	10	34' above the top of the first living floor surface (4)
			3,500 per unit					
All other uses	N/A 1/5,250		5,250		None 10'	None required except when abutting RSF, RTF, or RMF; then greater of ½ structure height or 15 feet 10'		34' above the top of the first living floor surface (4)) 40' above the centerline of the nearest public street(4)

NOTES:

Uses may also be subject to district-specific standards ([Chapter 163](#)), use-specific standards ([Chapter 164](#)), or design standards ([Chapter 166](#)) that further limit these standards.

Required setbacks may be increased in accordance with the standards in § [166.04-03](#), Marsh Buffers, and § [166.04-04](#), Beach and Dune Management Area (if applicable).

Single- and two-family structures are subject to maximum floor area ratio limitations in § [166.05-03](#), Single-and Two-Family Design Standards (as appropriate).

Multi-family uses are limited to a maximum of two stories (measured from the top of the first living floor surface). **Non residential uses in the DC and IC Districts are limited to a maximum of three stories. Roof top decks and parking areas greater than seven feet in height located below the first finished floor shall constitute a story for the purpose of measuring height.**

New development fronting Center Street shall be built to the edge of the street right-of-way, to the maximum extent practicable.

There is no minimum lot size except where required by DHEC for on-site wastewater facilities.

There shall also be a setback of 25 feet from the OCRM critical line in the CN district.

Setbacks in the RSF and RTF zones shall be a minimum of five and a maximum of ten feet. Eaves may extend into the required setback up to 18". HVAC platforms may extend into the required setback up to 5' on side of the structure, but cannot be located on both sides.

Max height shall not exceed height regulated in § [90.05](#).

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: May 10th, 2022

2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin

Date: May 10th, 2022

ORDINANCE 010-22

AN ORDINANCE REZONING THE FOLLOWING PARCELS FROM DOWNTOWN COMMERCIAL TO ISLAND COMMERCIAL AND AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE:

TMS: 328-10-00-104 (105 W Indian Ave, Carol Kruer)

TMS: 328-10-00-109 (109 W Huron Ave, Hocus, LLC)

TMS: 328-10-00-103 (0 W Huron Ave, 9th Street Partners, LLC)

TMS: 328-10-00-102 (110 W Huron Ave, 110 West Huron, LLC)

TMS: 328-10-00-184 (111 W Huron Ave, Miriam Hickman)

TMS: 328-10-00-115 (110 W Hudson Ave, Daniel Popek)

TMS: 328-10-00-114 (108 W Hudson Ave, Alvin Thurston)

TMS: 328-10-00-113 (106 West Hudson, Kirkland Grant)

TMS: 328-10-00-133 (105 W Huron, Huron Holdings, LLC)

TMS: 328-14-00-216 (0 W Erie Avenue, Dominion Energy)

TMS: 328-14-00-217 (106 W Erie, Bishop of Charleston)

TMS: 328-14-00-189 (110 W Cooper, James Rawls)

TMS: 328-14-00-480 (110 W Cooper 206, Timothy McCarrell)

TMS: 328-14-00-481 (111 W Erie B, DONHO Properties, LLC)

TMS: 328-14-00-482 (113 W Erie C, DONHO Properties, LLC)

TMS: 328-14-00-187 (106 W Cooper Ave, City of Folly Beach)

TMS: 328-14-00-188 (108 W Cooper Ave, Beverly Powers Schact)

TMS: 328-14-00-186 (0 West Cooper Ave, Robert Sellers Jr)

TMS: 328-14-00-168 (104 W Ashley, Robert Sellers Jr.)

TMS: 328-14-00-169 (108 West Cooper Ave, Robert Sellers Jr)

TMS: 328-14-00-170 (110 W Ashley Ave, James Poupalos)

TMS: 328-14-00-093 (108 E Cooper Ave, 105 E Erie, LLC)

TMS: 328-14-00-477 (105 E Erie Ave, 105 E Erie, LLC)

TMS: 328-14-00-225 (107 E Erie Ave, Christin Richardson)

TMS: 328-14-00-092 (110 E Cooper Ave, Christin Richardson)

TMS: 328-14-00-091 (114 E Cooper Ave, Brad Hock)

TMS: 328-14-00-120 (106 E Erie Ave, 106 E Erie, LLC)

TMS: 32-14-00-119 (108 E Erie Ave, 108 E Erie, LLC)

TMS: 328-14-00-118 (109 E Hudson Ave, 109 E Erie, LLC)

TMS: 328-10-00-018 (112 E Hudson Ave, Colin Cigler)

TMS: 328-10-00-019 (108 E Hudson Ave, Folly Beach Portfolio, LLC)

TMS: 328-10-00-020 (106 E Hudson Ave, 106 E Hudson, LLC)

TMS: 328-10-00-276 (105 E Huron Ave, 105 E Huron, LLC)

TMS: 328-10-00-044 (107 E Huron Ave, USPS)

TMS: 328-10-00-043 (112 E Huron Ave, Folly Beach Portfolio, LLC)

WHEREAS, The area described by this ordinances is shown as Downtown Commercial on the Future Land Use Map adopted in the *2015 Comprehensive Plan*; and

WHEREAS, The City now desires to amend the boundaries of the commercial districts to more appropriately regulate growth; and

WHEREAS, The area described by this ordinance is more appropriate for commercial use that is less intense than the DC District.

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

That the Zoning Map of the City of Folly Beach be amended to reflect the rezoning of the following parcels from Downtown Commercial to Island Commercial:

TMS: 328-10-00-104 (105 W Indian Ave, Carol Kruer)

TMS: 328-10-00-109 (109 W Huron Ave, Hocus, LLC)

TMS: 328-10-00-103 (0 W Huron Ave, 9th Street Partners, LLC)

TMS: 328-10-00-102 (110 W Huron Ave, 110 West Huron, LLC)

TMS: 328-10-00-184 (111 W Huron Ave, Miriam Hickman)

TMS: 328-10-00-115 (110 W Hudson Ave, Daniel Popek)

TMS: 328-10-00-114 (108 W Hudson Ave, Alvin Thurston)

TMS: 328-10-00-113 (106 West Hudson, Kirkland Grant)

TMS: 328-10-00-133 (105 W Huron, Huron Holdings, LLC)

TMS: 328-14-00-216 (0 W Erie Avenue, Dominion Energy)

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TMS: 328-14-00-189 (110 W Cooper, James Rawls)

TMS: 328-14-00-480 (110 W Cooper 206, Timothy McCarrell)

TMS: 328-14-00-481 (111 W Erie B, DONHO Properties, LLC)

TMS: 328-14-00-482 (113 W Erie C, DONHO Properties, LLC)

TMS: 328-14-00-187 (106 W Cooper Ave, City of Folly Beach)

TMS: 328-14-00-188 (108 W Cooper Ave, Beverly Powers Schact)

TMS: 328-14-00-186 (0 West Cooper Ave, Robert Sellers Jr)

TMS: 328-14-00-168 (104 W Ashley, Robert Sellers Jr.)

TMS: 328-14-00-169 (108 West Cooper Ave, Robert Sellers Jr)

TMS: 328-14-00-170 (110 W Ashley Ave, James Poupalos)

TMS: 328-14-00-093 (108 E Cooper Ave, 105 E Erie, LLC)

TMS: 328-14-00-477 (105 E Erie Ave, 105 E Erie, LLC)

TMS: 328-14-00-225 (107 E Erie Ave, Christin Richardson)

TMS: 328-14-00-092 (110 E Cooper Ave, Christin Richardson)

TMS: 328-14-00-091 (114 E Cooper Ave, Brad Hock)

TMS:328-14-00-120 (106 E Erie Ave, 106 E Erie, LLC)

TMS: 32-14-00-119 (108 E Erie Ave, 108 E Erie, LLC)

TMS: 328-14-00-118 (109 E Hudson Ave, 109 E Erie, LLC)

TMS: 328-10-00-018 (112 E Hudson Ave, Colin Cigler)

TMS: 328-10-00-019 (108 E Hudson Ave, Folly Beach Portfolio, LLC)

TMS: 328-10-00-020 (106 E Hudson Ave, 106 E Hudson, LLC)

TMS: 328-10-00-276 (105 E Huron Ave, 105 E Huron, LLC)

TMS: 328-10-00-044 (107 E Huron Ave, USPS)

TMS: 328-10-00-043 (112 E Huron Ave, Folly Beach Portfolio, LLC)

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: June 14th, 2022
2nd Reading:

Introduced by: Mayor Goodwin
Date: May 10th, 2022

ORDINANCE 011-22

AN ORDINANCE AMENDING THE STANDARDS OF THE DOWNTOWN COMMERCIAL DISTRICT BY AMENDING TABLE 164.01 (TABLE OF USES) TO ELIMINATE MULTIFAMILY USE AND TABLE 165.01 (DIMENSIONAL STANDARDS) TO INCREASE THE REQUIRED SETBACKS AND SET THE MAXIMUM HEIGHT AT 40' FEET OR THREE STORIES

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,

§ 164.01 TABLE OF USES.

Table 164.01, Table of Allowed Uses, sets forth the uses allowed within the base zoning districts.

(Ord. 05-10, passed 3-23-10)

TABLE 164.01: TABLE OF ALLOWED USES					
P = Permitted S = Special Exception A = Allowed in PD District Blank Cell = Prohibited					
Use Category	Use Type	Zoning District			Additional Standards
		Residential	Nonresidential		

<i>RSF</i>	<i>RT F</i>	<i>RM F</i>	<i>DC</i>	<i>IC</i>	<i>M C</i>	<i>CC</i>	<i>CN</i>	<i>P D (1)</i>
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TABLE 164.01: TABLE OF ALLOWED USES

P = Permitted S = Special Exception A = Allowed in PD District Blank Cell = Prohibited

<i>Use Category</i>	<i>Use Type</i>	<i>Zoning District</i>									<i>Additional Standards</i>
		<i>Residential</i>			<i>Nonresidential</i>					<i>P D (1)</i>	
		<i>RSF</i>	<i>RT F</i>	<i>RM F</i>	<i>D C</i>	<i>IC</i>	<i>M C</i>	<i>CC</i>	<i>C N</i>		

RESIDENTIAL USE CLASSIFICATION

Household Living	Multi-family dwelling			P	P			P		A	§ 164.03-01(A)(1)
	Single-family dwelling	P	P	P	P	P	P	P		A	§ 166.05-02
	Two-family dwelling		P	P	P	P	P	P		A	§ 164.03-01(A)(2)
	Townhouse			P				P		A	§ 166.05-03
	Residential unit over nonresidential use			P	P	P	P	P		A	

§ 165.01-02 Dimensional Standards in the Zoning Districts.

Unless otherwise specified, all principal and accessory structures in the zoning districts are subject to the dimensional standards set forth in [Table 165.01](#), Dimensional Standards.

TABLE 165.01: DIMENSIONAL STANDARDS (1)

<i>ZONING DISTRICT/USE</i>	<i>LOT AREA</i>				<i>SETBACKS (2)</i>			<i>MAX. HEIGHT (9)</i>
	<i>Density (DU/Sq. Ft.)</i>	<i>Max. Lot Coverage</i>	<i>Min. Lot Area (Sq. Ft.)</i>	<i>Min. Lot Width (Ft)</i>	<i>Front (Ft)</i>	<i>Each Side (Ft)</i>	<i>Rear (Ft)</i>	

DOWNTOWN COMMERCIAL (DC)								
Single- and two-family uses	1/10,500 (up to 4 per acre max.)	50% of high ground (3)	10,500	35	10 (5)	5 -10	10	34' above the top of the first living floor surface (4)
Multi-family uses	1/3,500 (up to 12 per acre max.)		3,500 per multi-family dwelling unit		None required (5) 10	None required except when abutting RSF, RTF or RMF; then greater of 1/2 structure height or 15 feet 10		
Outdoor retailers			2,625 per outdoor retailer					
All other uses	N/A		5,250					40' above the first living floor surface centerline of the nearest street (4)
See § 163.05								
NOTES:								
Uses may also be subject to district-specific standards (Chapter 163), use-specific standards (Chapter 164), or design standards (Chapter 166) that further limit these standards.								
Required setbacks may be increased in accordance with the standards in § 166.04-03 , Marsh Buffers, and § 166.04-04 , Beach and Dune Management Area (if applicable).								
Single- and two-family structures are subject to maximum floor area ratio limitations in § 166.05-03 , Single-and Two-Family Design Standards (as appropriate).								
Multi-family uses are limited to a maximum of two stories (measured from the top of the first living floor surface). Non residential uses in the DC and IC Districts are limited to a maximum of three stories. Roof top decks and parking areas greater than seven feet in height located below the first finished floor shall constitute a story for the purpose of measuring height.								
New development fronting Center Street shall be built to the edge of the street right-of-way, to the maximum extent practicable.								
There is no minimum lot size except where required by DHEC for on-site wastewater facilities.								
There shall also be a setback of 25 feet from the OCRM critical line in the CN district.								
Setbacks in the RSF and RTF zones shall be a minimum of five and a maximum of ten feet. Eaves may extend into the required setback up to 18". HVAC platforms may extend into the required setback up to 5' on side of the structure, but cannot be located on both sides.								
Max height shall not exceed height regulated in § 90.05 .								

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: May 10th, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: May 10th, 2022

ORDINANCE 012-22 AN ORDINANCE CREATING THE CENTER STREET OVERLAY ZONING DISTRICT.

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,

§ 163.05 OVERLAY DISTRICTS.

§ 163.05-01 Overlay Zoning Districts Established.

~~The Folly Road Corridor Overlay District is established by this ZDO.~~ The overlay zoning district requirements **of this section** shall be applied in addition to any applicable base zoning district requirements. Except where specifically provided in this chapter, variances from the overlay zoning district standards shall not be granted.

(Ord. 05-10, passed 3-23-10)

§ 163.05-02 Folly Road Corridor Overlay District (FCOD).

.....

§ 163.05-03 Center Street Overlay District (CSOD).

(A) Purpose and intent. The intent of these provisions is to regulate land use along Center Street in a manner that is consistent with historical patterns. Properties subject to the overlay have different access availability and are generally smaller than other lots in the Downtown Commercial District. Existing development is primarily at grade and adjacent to the right of way.

(B) *Location.* The CSOD extends from the Folly River Bridge to the intersection of Arctic Avenue and Center Street. It extends from Center Street to the 10' alleys running behind and parallel to Center Street to the East and West of Center Street.

(C) *Conflict.* The CSOD zoning district regulations of this chapter apply in addition to the underlying (base) zoning district regulations. In case of conflict between the CSOD regulations and other regulations in this ZDO, the CSOD regulations shall control.

(D) *Applicability.* The standards in this section shall apply to all parcels within the CSOD.

(E) *District-specific standards.* All development within the CSOD shall comply with the following standards:

(1) *Lot coverage exceptions for public and semi-public areas adjacent to Center Street.* Any impervious surfaces used as a porch, dining area, courtyards, deck, or similar public or semi-public space adjacent to the Center Street right of way shall not be counted when calculating the total amount of impervious lot coverage of the development.

(2) *Standalone residential uses.* New residential development must include a non residential use on the ground floor. Residential density shall be controlled by the base district regulations for the Downtown Commercial District in § 165.01-02 Dimensional Standards by Zoning Districts.

(3) *New development required to be built at grade.* New buildings in the CSOD located in an A Zone shall be constructed at grade and flood proofed rather than elevated.

(4) *Maximum Height.* The maximum height of new structures shall be limited to 34' from grade and two stories. Rooftop decks, whether covered or uncovered, shall constitute a full story for the purposes of measuring building height within the district.

(5) *No parking required.* Except for residential use above a commercial use, no parking shall be required for development with the CSOD. Parking for residential use over a commercial use shall be provided as required by § 166.06-04 Off-street Parking Standards.

(Ord. 05-10, passed 3-23-10; Am. Ord. 04-14, passed 3-11-14; Am. Ord. 02-17, passed 4-11-17; Am. Ord. 15-20, passed 12-8-20; Am. Ord. 11-21, passed 5-11-21)

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: May 10th, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: May 10th, 2022

ORDINANCE 013-22

AN ORDINANCE REZONING THE FOLLOWING PARCELS FROM ISLAND COMMERCIAL TO DOWNTOWN COMMERCIAL AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE:

TMS: 328-14-00-041 (2 Center Street, McKevlin Family Partnership)

TMS: 328-14-00-040 (8 Center Street, Ashley 208, LLC)

TMS: 328-14-00-389 (0 Center Street, Pavillion Watch Horizontal Property Regime)

TMS: 328-14-00-138 (7 Center Street, Richard Weatherford)

TMS: 328-14-00-137 (0 Center Street, William Larry Trust)

WHEREAS, The City desires to amend the zoning district boundaries within the commercial districts to more appropriately regulate growth; and

WHEREAS, The rezoning of the properties along Center Street between Ashley and Arctic Avenues will allow these properties to be regulated in a similar manner as the remainder of Center Street.

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

That the Zoning Map of the City of Folly Beach be amended to reflect the rezoning of the following parcels from Island Commercial to Downtown Commercial and the inclusion of these parcels as part of the Center Street Overlay.

TMS: 328-14-00-041 (2 Center Street, McKevlin Family Partnership)

TMS: 328-14-00-040 (8 Center Street, Ashley 208, LLC)

TMS: 328-14-00-389 (0 Center Street, Pavillion Watch Horizontal Property Regime)

TMS: 328-14-00-138 (7 Center Street, Richard Weatherford)

TMS: 328-14-00-137 (0 Center Street, William Larry Trust)

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: May 10th, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: May 10th, 2022

ORDINANCE 014-22

**AN ORDINANCE REZONING THE FOLLOWING PARCELS BY INCLUDING THEM
IN THE CENTER STREET OVERLAY DISTRICT AMENDING THE OFFICIAL
ZONING MAP TO REFLECT SUCH CHANGE:**

TMS: 328-14-00-389 (Center St, Pavillion Watch Horizontal)

TMS: 328-14-00-138 (7 Center St, Richard Weatherford)

TMS: 328-14-00-137 (Center St, William Larry Trust)

TMS: 328-14-00-136 (11 Center St, Stretford End LLC)

TMS: 328-14-00-135 (13 Center St, 13 Center Street LLC)

TMS: 328-14-00-229 (Center St, 13 B Center Street LLC)

TMS: 328-14-00-134 (15 Center St, Follyway LLC)

TMS: 328-14-00-133 (17 Center St, Slightly Off Center LLC)

TMS: 328-14-00-132 (21 Center St, Folly Beach Town Hall)

TMS: 328-14-00-131 (23 Center St, 23 Center LLC)

TMS: 328-14-00-130 (Center St, JLW 27 Center Street LLC)

TMS: 328-14-00-127 (31 Center St, 31 Center St LLC)

TMS: 328-14-00-129 (Center St, Tiedemann Living Trust)

TMS: 328-10-00-112 (41 Center St, Nelle Properties LLC)

TMS: 328-10-00-111 (43 Center St, Nelle Properties LLC)

TMS: 328-10-00-110 (45 Center St, Nelle Properties LLC)

TMS: 328-10-00-105 (57 Center St, City of Folly Beach)

TMS: 328-10-00-070 (Center St, Folly Beach Baptist Church)

TMS: 328-10-00-066 (77 Center St, Folly Beach Baptist Church)

TMS: 328-10-00-065 (79 Center St, Folly Beach Baptist Church)

TMS: 328-10-00-156 (81 Center St, Revlis LLC)

TMS: 328-10-00-158 (Center St, Namoh LLC)

TMS: 328-10-00-064 (83 Center St, Namoh LLC)

TMS: 328-10-00-062 (87 Center St, Hotel Folly LLC)

TMS: 328-10-00-130 (97 Center St, Charleston County Park and Recreation Commission)

TMS: 328-10-00-056 (E Indian Ave, City of Folly Beach)

TMS: 328-10-00-046 (56 Center St, Bishop of Charleston)

TMS: 328-10-00-045 (50 Center St, JMCS Holdings Inc)

TMS: 328-10-00-021 (42 Center St, Circle K Stores Inc)

TMS: 328-14-00-124 (38 Center St, 36-38 Center Street LLC)

TMS: 328-14-00-123 (36 Center St, 36-38 Center Street LLC)

TMS: 328-14-00-122 (34 Center St, Miriam Smith Hickman)

TMS: 328-14-00-121 (32 Center St, Varm Family Limited Partnership)

TMS: 328-14-00-096 (26 Center St, Latitude 33 Investments LLC)

TMS: 328-14-00-095 (22 Center St, Paul Mark Chrysostom)

TMS: 328-14-00-094 (20 Center St, Paul and Theodosia Chrysostom)

TMS: 328-14-00-467 (16 Center St Unit A, 16 Center Street LLC)

TMS: 328-14-00-468 (16 Center St Unit 1, Ritter Family Trust)

TMS: 328-14-00-469 (16 Center St Unit 2, Stephanie Romer and Timothy Glazner)

TMS: 328-14-00-470 (16 Center St Unit 3, Eric Miller)

TMS: 328-14-00-471 (16 Center St Unit 4, Edie Mason)

TMS: 328-14-00-472 (16 Center St Unit 5, Andrew and Endia Plunkett)

TMS: 328-14-00-473 (16 Center St Unit 6, 16-6 Center Street LLC)

TMS: 328-14-00-474 (16 Center St Unit B, Rhodes Living Trust)

TMS: 328-14-00-475 (16 Center St Unit C-1, AJD Folly LLC)

TMS: 328-14-00-476 (16 Center St Unit C-2, AJD Folly LLC)

TMS: 328-14-00-068 (10 Center St, Follyco LLC)

TMS: 328-14-00-041 (8 Center St, Ashley 208 LLC)

TMS: 328-14-00-040 (2 Center St, McKevlin Family Partnership)

WHEREAS, Parcels along Center Street shown as Downtown Commercial on the Future Land Use Map adopted in the *2015 Comprehensive Plan*; and

WHEREAS, The City now desires to amend the boundaries of the commercial districts to more appropriately regulate growth; and

WHEREAS, These parcels warrant a zoning consideration that acknowledges historic patterns of development in this area.

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

That the Zoning Map of the City of Folly Beach be amended to reflect the rezoning of the following parcels to be included in the Center Street Overlay District:

TMS: 328-14-00-389 (Center St, Pavillion Watch Horizontal)

TMS: 328-14-00-138 (7 Center St, Richard Weatherford)

TMS: 328-14-00-137 (Center St, William Larry)

TMS: 328-14-00-136 (11 Center St, Stretford End LLC)

TMS: 328-14-00-135 (13 Center St, 13 Center Street LLC)

TMS: 328-14-00-229 (Center St, 13 B Center Street LLC)

TMS: 328-14-00-134 (15 Center St, Follyway LLC)

TMS: 328-14-00-133 (17 Center St, Slightly Off Center LLC)

TMS: 328-14-00-132 (21 Center St, Folly Beach Town Hall)

TMS: 328-14-00-131 (23 Center St, 23 Center LLC)

TMS: 328-14-00-130 (Center St, JLW 27 Center Street LLC)

TMS: 328-14-00-127 (31 Center St, 31 Center St LLC)

TMS: 328-14-00-129 (Center St, Tiedemann Living Trust)

TMS: 328-10-00-112 (41 Center St, Nelle Properties LLC)

TMS: 328-10-00-111 (43 Center St, Nelle Properties LLC)

TMS: 328-10-00-110 (45 Center St, Nelle Properties LLC)

TMS: 328-10-00-105 (57 Center St, City of Folly Beach)

TMS: 328-10-00-070 (Center St, Folly Beach Baptist Church)

TMS: 328-10-00-066 (77 Center St, Folly Beach Baptist Church)

TMS: 328-10-00-065 (79 Center St, Folly Beach Baptist Church)

TMS: 328-10-00-156 (81 Center St, Revlis LLC)

TMS: 328-10-00-158 (Center St, Namoh LLC)

TMS: 328-10-00-064 (83 Center St, Namoh LLC)

TMS: 328-10-00-062 (87 Center St, Hotel Folly LLC)

TMS: 328-10-00-130 (97 Center St, Charleston County Park and Recreation Commission)

TMS: 328-10-00-056 (E Indian Ave, City of Folly Beach)

TMS: 328-10-00-046 (56 Center St, Bishop of Charleston)

TMS: 328-10-00-045 (50 Center St, JMCS Holdings Inc)

TMS: 328-10-00-021 (42 Center St, Circle K Stores Inc)

TMS: 328-14-00-124 (38 Center St, 36-38 Center Street LLC)

TMS: 328-14-00-123 (36 Center St, 36-38 Center Street LLC)

TMS: 328-14-00-122 (34 Center St, Miriam Smith Hickman)

TMS: 328-14-00-121 (32 Center St, Varm Family Limited Partnership)
TMS: 328-14-00-096 (26 Center St, Latitude 33 Investments LLC)
TMS: 328-14-00-095 (22 Center St, Paul Mark Chrysostom)
TMS: 328-14-00-094 (20 Center St, Paul and Theodosia Chrysostom)
TMS: 328-14-00-467 (16 Center St Unit A, 16 Center Street LLC)
TMS: 328-14-00-468 (16 Center St Unit 1, Ritter Family Trust)
TMS: 328-14-00-469 (16 Center St Unit 2, Stephanie Romer and Timothy Glazner)
TMS: 328-14-00-470 (16 Center St Unit 3, Eric Miller)
TMS: 328-14-00-471 (16 Center St Unit 4, Edie Mason)
TMS: 328-14-00-472 (16 Center St Unit 5, Andrew and Endia Plunkett)
TMS: 328-14-00-473 (16 Center St Unit 6, 16-6 Center Street LLC)
TMS: 328-14-00-474 (16 Center St Unit B, Rhodes Living Trust)
TMS: 328-14-00-475 (16 Center St Unit C-1, AJD Folly LLC)
TMS: 328-14-00-476 (16 Center St Unit C-2, AJD Folly LLC)
TMS: 328-14-00-068 (10 Center St, Follyco LLC)
TMS: 328-14-00-041 (8 Center St, Ashley 208 LLC)
TMS: 328-14-00-040 (2 Center St, McKevlin Family Partnership)

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: May 10th, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: May 10th, 2022

ORDINANCE 015-22

AN ORDINANCE AMENDING CHAPTER 166 OF THE FOLLY BEACH CODE OF ORDINANCES (DEVELOPMENT STANDARDS) BY CREATING SECTION 166.13 PEDESTRIAN IMPROVEMENTS TO REQUIRE THE CONSTRUCTION OF PEDESTRIAN IMPROVEMENTS IN THE RIGHT OF WAY UPON DEVELOPMENT OR SUBSTANTIAL IMPROVEMENT OF STRUCTURES LOCATED ON PARCELS IN THE COMMERCIAL DISTRICT IN AREAS FOR WHICH CITY COUNCIL HAS APPROVED A CONCEPTUAL DESIGN FOR MULTIUSE PATHS.

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,

166.013 Pedestrian Improvements

(A) *Purpose and intent.* The intent of these provisions is to promote the construction of multiuse paths within the commercial districts to provide safe routes for pedestrians and bicyclists.

(B) *Applicability.* The requirements of this section shall apply to all properties in the Island Commercial District and Downtown Commercial District for which City Council has approved a conceptual plan for multiuse paths located in the right of way adjacent to the property.

(C) A separated 12-foot multi-use path shall be installed adjacent to all parcels in an areas with an approved conceptual plan for multiuse paths upon the construction of any new commercial or

residential structure as well as the upon the substantial improvement of any existing commercial or residential structure.

(1) The City shall be responsible for the final design, engineering, and permitting along with associated costs for each section of the path.

(2) The construction costs shall be paid by the property owner. Upon request, the City may assist with bidding for construction.

(3) The approved conceptual design may be altered by the City if conflicts with trees, utilities, or other conditions exist that would render the required width unfeasible.

ADOPTED this ____ day of _____, 2022, at Folly Beach, South Carolina.

Ayes:

Nays:

Abstains:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: June 1st, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: June 1st, 2022

ORDINANCE 21-22

AN ORDINANCE TO PROVIDE FOR THE ADOPTION OF THE FY2023 GENERAL FUND BUDGET CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES FOR THE CITY OF FOLLY BEACH, SOUTH CAROLINA BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023.

The City Council of the City of Folly Beach, South Carolina, does hereby ordain as follows:

SECTION 1: That for the expenses of City Government and its activities for the fiscal year beginning July 1, 2022 and ending June 30, 2023, the following amounts for the following purposes, are hereby appropriated:

Public Safety	\$ 4,662,395	\$4,705,438
Public Works	\$ 1,935,590	\$1,947,232
General Government	\$ 1,293,528	
Administration	\$ 948,652	\$957,260
Buildings & Facilities	\$ 933,580	
Council (Legislative)	\$ 214,375	
Judicial	\$ 183,464	
Mayor (Executive)	<u>\$ 49,220</u>	
 TOTAL EXPENDITURES	 <u>\$ 10,220,804</u>	 <u>\$10,284,097</u>
 TOTAL REVENUES	 <u>\$ 10,220,804</u>	 <u>\$10,284,097</u>

SECTION 2: That the attached line item appropriation on detail and estimated revenues are hereby incorporated herein.

SECTION 3: That a tax for the sums here in after set forth, is and shall be levied, collected, and paid into the treasury of the City of Folly Beach.

SECTION 4: That the property tax millage rate is set at ~~0.0382~~ **0.0389** with such tax to apply to all real estate and personal property of every description owned in the City of Folly Beach, South Carolina, except that which is exempt from taxation under the Constitution and Laws of the State of South Carolina.

SECTION 5: That the Treasurer of the County of Charleston, South Carolina, is hereby

authorized to collect such taxes in conjunction with the Charleston County tax bills as provided by the City's existing tax collection agreement with the County of Charleston, South Carolina. The County Treasurer shall pay said taxes to the City of Folly Beach for corporate purposes, for permanent improvements, and for the purpose of paying current expenses of Folly Beach.

SECTION 6: That the billing dates, penalty dates, and amounts of penalty which shall be levied for delinquent taxes shall be the same as those in effect for the County of Charleston, South Carolina, at the time of collection.

SECTION 7: That the Sheriff of Charleston County, South Carolina, shall be responsible for the collection of delinquent taxes as provided in the agreement with the County of Charleston.

SECTION 8: Upon presentation of audited financial results for the fiscal year, Council will reassess its unreserved General fund balance to ensure that its balance is currently above \$2,000,000 and in good standing as set forth in the adopted City Finance Policies and Procedures Handbook.

SECTION 9: Upon presentation of audited financial results for the fiscal year, Council will reassess its current and proposed capital projects and consider the reservation of any excess contributions to the unreserved General fund balance after its consideration of section 8 of this ordinance.

All ordinances, or parts of ordinances, inconsistent with or contravening this ordinance, are hereby repealed.

EFFECTIVE DATE: **July 1, 2022**

ADOPTED this ____ day of June 2022, at Folly Beach, South Carolina.

Ayes: _____ Nays: _____ Abstains: _____

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: June 1st, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: June 1st, 2022

ORDINANCE 022-22

AN ORDINANCE ESTABLISHING THE WATER UTILITY BUDGET AND APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE FOLLY BEACH WATER UTILITY FOR FY2023, BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023.

The City Council of the City of Folly Beach, South Carolina, does hereby ordain as follows:

SECTION 1. The operational budget for the Water Utility of the City of Folly Beach for FY2023 is hereby established as follows:

Water Purchase & Contracts	\$ 716,550
Operational Expenses	\$ 663,908
Salaries & Benefits	\$ 282,834
Payment in Lieu of Tax	<u>\$ 60,000</u>
 TOTAL EXPENDITURES	 <u>\$ 1,723,292</u>
TOTAL REVENUES	<u>\$ 1,842,600</u>

SECTION 2. There is hereby appropriated out of the Water Utility revenues FY2023 to the various purposes in the budget presented above.

SECTION 3. All receipts of the Water Utility of the City of Folly Beach not appropriated as set forth above, shall be placed in the Water Utility Fund cash account and shall not be transferred except by resolution of the City Council.

SECTION 4. The effective date of this ordinance is July 1, 2022.

ADOPTED this 14th day of June 2022, at Folly Beach, South Carolina.

Ayes: _____

Nays: _____

Abstains: _____

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: June 1st, 2022
2nd Reading: June 14th, 2022

Introduced by: Mayor Goodwin
Date: June 1st, 2022

ORDINANCE 23-22

AN ORDINANCE ESTABLISHING THE SEWER UTILITY BUDGET AND APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE FOLLY BEACH SEWER UTILITY FOR FY2023 BEGINNING JULY 1, 2022, AND ENDING JUNE 30, 2023.

The City Council of the City of Folly Beach, South Carolina, does hereby ordain as follows:

SECTION 1. The operational budget for the Water Utility of the City of Folly Beach for FY2023 is hereby established as follows:

Transport, Treatment, & Contracts	\$ 527,313
Salaries & Benefits	\$ 111,153
Operational Expenses	<u>\$ 92,910</u>
 TOTAL EXPENDITURES	 <u>\$ 731,376</u>
TOTAL REVENUES	<u>\$ 812,750</u>

SECTION 2. There is hereby appropriated out of the Sewer Utility revenues for FY2023 to the various purposes in the budget presented above.

SECTION 3. All receipts of the Sewer Utility of the City of Folly Beach not appropriated as set forth above, shall be placed in the Sewer Utility Fund cash account and shall not be transferred except by resolution of the City Council.

SECTION 4. The effective date of this ordinance is July 1, 2022.

ADOPTED this 14th day of June 2022, at Folly Beach, South Carolina.

Ayes: _____

Nays: _____

Abstains: _____

Municipal Clerk

Tim Goodwin, Mayor

Name

Clifton Harvey

Address

515 East Hudson Avenue
Post Office Box 876
Folly Beach, South Carolina 29439

Email

MHARVE11@BELLSOUTH.NET

Phone

(843) 729-0842

Are you a Folly Beach registered voter?

Yes

Are you a Folly Beach resident or property owner?

Yes

For how many years have you lived or owned property in Folly Beach?

60

For which board are you applying?

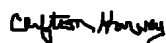
Accommodations Tax Advisory Board

For which qualification are you applying?

General Public

Please tell us about your qualifications.

I have been on the Accommodations Tax Advisory Board for almost 25 years. I feel I still have much to give to the citizens of Folly serving on this board. I have spent the past 50 years serving Folly citizens and her visitors as one of the first Public Safety Officers in the mid 70's. I left Folly and took a position at The Medical University of SC as a Medical Instrumentation Supervisor. However, I held my police certification and continued as a State Constable enforcing state and local ordinances in the evenings, weekends and holidays. I am currently serving the City as a Folly Beach Volunteer Firefighter.

Signature**Date**

02/04/2022

Name

Kathy Miller

Address

19 Red Sunset Lane
Folly Beach, South Carolina 29439
United States
[Map It](#)

Email

kathymiller74@gmail.com

Phone

(704) 619-3998

Are you a Folly Beach registered voter?

Yes

Are you a Folly Beach resident or property owner?

Yes

For how many years have you lived or owned property in Folly Beach?

6

For which board are you applying?

Accommodations Tax Advisory Board

For which qualification are you applying?

Hospitality Industry

Please tell us about your qualifications.

As a former Realtor, I am familiar with small business issues and appreciate the complicated relationship between residents and tourists.

Signature**Date**

02/06/2022

Name

Darlene Rawls

Address

5 Red Sunset Lane
POB 63
South Carolina
United States
[Map It](#)

Email

Cusabo2@bellsouth.net

Phone

(843) 478-9335

Are you a Folly Beach registered voter?

Yes

Are you a Folly Beach resident or property owner?

Yes

For how many years have you lived or owned property in Folly Beach?

22

For which board are you applying?

Accommodations Tax Advisory Board

For which qualification are you applying?

General Public

Please tell us about your qualifications.

Have served on ATAX for at least 3 years prior.

Signature**Date**

05/11/2022

Reply
Reply all
Forward

Name

Matthew Horton

Address

1001 Lighterman Way
South Carolina
United States
[Map It](#)

Email

matthewhorton00@gmail.com

Phone

(512) 632-1420

Are you a Folly Beach registered voter?

Yes

Are you a Folly Beach resident or property owner?

Yes

For how many years have you lived or owned property in Folly Beach?

5

For which board are you applying?

Parks and Recreation Board

Please tell us about your qualifications.

I have been serving on the Parks and Recreation Board for the past year, having assumed an uncompleted term. My wife and I reside at the Preserve at the Clam Farm on Folly Road and are immensely impressed by the beauty and vibrancy of the area and community. We desire and the time to give back to the community in small ways that can make a difference.
(BTW, my address is in Charleston/29412, but we are within the Folly Beach city limits.)

Signature**Date**

06/01/2022

Reply
Reply all
Forward

Name

David Parler

Address

P. O. Box 490
Folly Beach, South Carolina 29439-0490
United States
[Map It](#)

Email

daparker8347@gmail.com

Phone

(843) 870-8347

Are you a Folly Beach registered voter?

Yes

Are you a Folly Beach resident or property owner?

Yes

For how many years have you lived or owned property in Folly Beach?

28

For which board are you applying?

Parks and Recreation Board

Please tell us about your qualifications.

39 years in public education in Charleston County School District as a teacher, coach, assistant principal, and principal for the last 20 years of my career.

Signature**Date**

02/21/2022

Name

Kim Morganello

Address

1620 Oak Island Drive
South Carolina 29412
United States
[Map It](#)

Email

Kimcountsmorganello@gmail.com

Phone

(843) 607-5095

Are you a Folly Beach registered voter?

Yes

Are you a Folly Beach resident or property owner?

Yes

For how many years have you lived or owned property in Folly Beach?

10

For which board are you applying?

Parks and Recreation Board

Please tell us about your qualifications.

Hello. This summer I will earn my Master in Resilient Urban Design from Clemson University. This program is based at the Clemson Design Center in Charleston. As part of my student work I have engaged communities on design elements for public spaces as well as designed for site specific conditions. As an example, our two semester studio project focused on the US Army Corps 3x3 project ("The Wall") proposed for the peninsula of Charleston. My project area included Joe Riley Waterfront Park and provided design alternatives that incorporated the flood barrier into the park so that it was not so obvious to visitors; this design was used by the City of Charleston as a proposed design alternative to the Army Corps for further consideration. I also work for Clemson University as a Water Resource Associate providing information and educational resources to communities on watershed stewardship best practices. I specialize in landscape level practices including native plant landscaping, vegetative buffers along salt marshes, stormwater pond retrofits, rain gardens, living shorelines, and rainwater harvesting systems. I have worked for Clemson since 2011, prior to this, I was the Stewardship Biologist for SCDNR in the ACE Basin. I grew up on James Islands, frequenting Folly often. I have been a resident of Folly since 2012. I enjoy the community and the nature on Folly immensely.

Signature**Date**

05/27/2022



CITY OF FOLLY BEACH

1st Reading: June 14th, 2022
2nd Reading:

Introduced by: Mayor Goodwin
Date: June 14th, 2022

ORDINANCE 018-22 AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 152.25 GENERAL STANDARDS SECTION(N) SUBSECTION 14 FOR ALLOWANCE OF NON-STRUCTURAL FILL WITH RESTRICTIONS.

WHEREAS, Excessive nonstructural fill can create adverse stormwater impacts to neighboring properties from flood water diversion, stormwater runoff, and increased erosion; and

WHEREAS, Currently no structural fill is allowed in V-zone construction; and

WHEREAS, All properties within the City are regulated to V-zone standards; and

WHEREAS, The City wishes to establish regulations for non-structural fill.

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,

§ 152.25 GENERAL STANDARDS.

In all areas within the city limits of Folly Beach, all permits for new construction and substantial improvement must be reviewed to determine whether proposed structures will be reasonably safe from flooding. Permits will be reviewed to ensure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 and that no adverse impact occurs during the development process as authorized by 44 CFR 59 and 60. Additionally, the following provisions are required:

.....

(N) *Elevated buildings.*

(1) New construction and substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the design flood elevation

shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

(2) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(a) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area below the design flood elevation;

(b) The bottom of all openings shall be no higher than one foot above the higher of the interior or exterior grade immediately under the opening;

(c) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;

(d) Only the portions of openings that are below the design flood elevation (DFE) can be counted towards the required net open area, and;

(e) Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.

(3) Electrical, plumbing, and other utility connections are prohibited below the design flood elevation except that one wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation.

(4) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

(5) The interior portion of the enclosed area shall not be partitioned or finished into separate rooms.

(6) Prior to receiving a permit to construct or renovate a structure in the flood plain, the owner must sign and file with the Charleston County Register of Mesne Conveyance a non-conversion agreement, which promises not to improve, finish, or otherwise convert the area below the area below DFE and grants community officials the right to inspect the enclosed area. The non-conversion agreement shall be of a form determined by the Building Official.

(7) Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than five feet per second), foundation systems other than solid foundations walls should be considered so that obstructions to damaging flood flows are minimized.

(8) All construction materials below the required lowest floor elevation shall be of flood resistant materials.

(9) All new construction and substantial improvements shall be located landward of the OCRM Baseline as well as comply with all applicable Department of Health and Environmental Control (DHEC) Ocean and Coastal Resource Management (OCRM) setback requirements.

(10) All buildings shall be elevated so that the bottom of the lowest supporting horizontal member (excluding pilings or columns) and any associated utilities are located no lower than the design flood elevation.

(a) Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of abnormal wave action and in accordance with division (F)(8) above.

(b) Breakaway (solid) walls may be permitted, provided that they are designed to break away from columns or pilings at a maximum horizontal pressure of 20 pounds per square foot applied to the projected area, leaving columns or pilings intact, but shall not break away at less than a horizontal pressure of 15 pounds per square foot on the projected area.

1. Breakaway construction design shall be certified by a registered South Carolina architect or engineer and a certificate verifying the same shall be submitted upon completion of construction. Final inspection approval shall be withheld until this certification is received.

2. No plumbing pipes, gas pipes, electrical wires or other equipment shall be run or mounted on or in the breakaway wall or in any way impede or prevent the wall from breaking away under the designated load.

3. Solid breakaway walls shall be allowed only for added security for the storage of a homeowner's personal belongings and shall not in any way be incorporated as living space or designed as part of the structure used for human habitation and must be vented per division (N). The Building Official shall at all times be allowed right of entry for inspection purposes to ascertain that the area behind the breakaway walls are used for no other purpose other than storage.

4. Secondary breakaway wall enclosures shall not exceed 299 square feet.

5. Only flood resistant materials shall be used below the required flood elevation. One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation.

(11) All buildings or structures shall be securely anchored on pilings or columns.

(12) All piles and columns and the structures attached thereto shall be anchored to resist flotation, collapse and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. Water loading values shall equal or exceed the base flood. Wind loading values shall be in accordance with Standard Building Code, current edition.

(13) A registered professional engineer or architect shall certify that the design, specifications and plans for construction are in compliance with the provisions contained in this section.

(14) There shall be no fill used as structural support. Non-compacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge, (thereby rendering the building free of obstruction) prior to generating excessive loading forces, ramping effects, or wave deflection. The Building Official shall approve design plans for landscaping/aesthetic fill only after the applicant has provided ~~an~~

~~analysis~~ a site specific drainage plan sealed by a licensed SC design professional that demonstrates: ~~by an engineer, architect and/or soil scientist, which demonstrates that the following factors have been fully considered:~~

(a) ~~That the p~~Particle composition of fill material does not have a tendency for excessive natural compaction.

(b) ~~That the v~~Volume and distribution of fill will not cause wave deflection to adjacent properties.

(c) ~~That the s~~Slope of fill will not cause wave run-up or ramping.

(d) That the elevation of any non-structural fill used outside of the impervious footprint of a structure, shall be equal to the lowest elevation of adjacent property, as measured at the common property line, landward of any critical line or baseline, or the elevation of the centerline of the nearest roadway whichever is lower.

(e) That non-structural fill, used within the impervious footprint of a structure, shall be contained within the footprint of the structure, by a retaining wall and shall not be higher than 1' above the elevation of the centerline of the nearest roadway.

(f) That, where there is frontage to more than one adjacent roadway, fill within the impervious footprint shall be retained within the footprint and shall not be higher than 1' above the centerline of the highest adjacent roadway.

(g) That stormwater conveyance is directed to the nearest public drainage system.

ADOPTED this ___ day of ___ 2022, at Folly Beach, South Carolina.

Ayes: _____

Nays: _____

Abstains: _____

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: June 14th, 2022
2nd Reading:

Introduced by: Mayor Goodwin
Date: June 14th, 2022

ORDINANCE 25-22

AN ORDINANCE TO IMPOSE A MORATORIUM ON THE ISSUANCE OF NEW BUSINESS LICENSES FOR SHORT TERM RENTALS WITHIN THE CITY OF FOLLY BEACH.

WHEREAS, The City's primary long term planning document, the *2015 Comprehensive Plan*, recommended that the City adopt regulations to limit short term rentals to lessen their impact on neighborhoods; and

WHEREAS, In 2018 the City implemented a new program for tracking rentals and enacted ordinances to address noise, special events, and licensing requirements in an effort to mitigate the effects of short term rentals in the community; and

WHEREAS, The number of short term rentals on the island has continued to grow; and

WHEREAS, In addition to the quality of life issues identified in 2018, the ability to convert residences to short term rentals is also known to increase the value of residential property and displace long term rentals; and

WHEREAS, The *2015 Comprehensive Plan*, also notes the lack of affordable housing in the City as well as the loss of long term rentals; and

WHEREAS, The Mayor established a committee in 2021 to study new regulations and the Mayor has received those recommendations and used them as a basis for his own regulations; and

WHEREAS, City Council has begun consideration of the Mayor's proposals, but no ordinances have been passed to implement the regulations; and

WHEREAS, The City desires to pause the increase in short term rental license for a period of time appropriate to allow Council to debate proposed ordinances to address short

term rentals in relation to loss of housing and the quality of life within the community; and

NOW BE IT THEREFORE ORDAINED:

1. The City of Folly Beach imposes a moratorium, to be effective immediately upon adoption of this Ordinance, on the issuance of new business licenses for short term rentals within the City:
 - a. Subject to Section (b) hereof, no application shall be approved for a business license to create a short term rental in any residential unit within the City.
 - b. Subject to the limitations set forth in Section (c) excepted from the provisions of Section 1 (a) are each of the following:
 - i. Renewals of short term rental licenses for properties that were legally licensed as of June 14th 2022.
 - ii. New licenses resulting from the transfer of ownership of properties that were legally licensed as short term rentals as of June 14th 2022.
 - iii. New licenses for a short term rental for which an application has been filed with the City of Folly Beach prior to adoption of this Ordinance and that has been deemed sufficient for approval.
 - c. In order to be excepted from this moratorium, all exceptions listed in Section (b) must comply with the following requirements:
 - i. Applications must be submitted in a timely manner.
 - ii. Applications must be deemed sufficient for approval by City staff; and
 - iii. Applications must be for a license to rent an existing residential unit with a Certificate of Occupancy.
2. The Mayor will propose to the City Council on or prior to September 12th, 2022 the text of ordinances required to implement any and all amendments to the land use regulations, if any, resulting from the study of the issues at hand.
3. This ordinance shall take effect immediately upon adoption and shall expire automatically on September 12th, 2022 unless earlier repealed.

ADOPTED this _____ day of _____ 2022, at Folly Beach, South Carolina.

Ayes: _____

Nays: _____

Abstains: _____

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: June 14, 2022

RESOLUTION 18-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL AWARDING THE CONTRACT FOR THE FINAL DESIGN, ENGINEERING, AND PERMITTING FOR THE COOPER AVENUE PEDESTRIAN PATH TO DAVIS AND FLOYD IN THE AMOUNT OF \$74,500 TO BE PAID FROM EXISTING BOND FUNDS.

WHEREAS, The City has a stated goal of increasing safety for pedestrians and cyclists within the community; and

WHEREAS, Pedestrian paths have been constructed or are under construction on 2nd Street West, 2nd Street East, and Ashely Avenue; and

WHEREAS, The TVPC has funded the completion of a Conceptual Plan for the remainder of the commercial district between 2nd Street West and 2nd Street East; and

WHEREAS, Cooper Avenue was the next area selected for further construction; and

WHEREAS, Davis & Floyd has unique experience as the firm responsible for all prior design, engineering, and permitting for the existing paths; and

WHEREAS, The City's procurement codes allow for sole source contracts in such instances.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina, that the contract for design, engineering, and permitting be awarded to Davis & Floyd in the amount of \$74,500.

RATIFIED this 14th day of June 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



City of Folly Beach

Date: June 14th, 2022

Re: Sole Source Contract – Design & Engineering Services for the Cooper Avenue Multi-use path from 2nd West to 2nd East

Mayor and Council,

According to City of Folly Beach Code Title III Administration, Chapter 36 Finances, Subchapter 18 Sole Source Purchasing, Paragraphs A-C:

(A) A contract may be awarded for supplies, services, professional services, or construction without formal competitive bidding or other competitive purchasing in accordance §§ [36.15](#) through [36.20](#). A contract may be awarded under this section only when the City Administrator and the Finance Director determine in writing that there is only one source for the required purchasing or construction or when there is only one source which is compatible with existing equipment, software, or things of this nature. A sole source purchase may not be made if a reasonable alternative solution exists. The written determination must include findings which support the determination that only one source exists. The authority to make the determination and findings required by this division shall not be delegated.

(B) The using department shall submit written evidence to support a sole source determination. The City Administrator or Finance Director may also require the submission of cost or pricing data in connection with an award under this section.

(C) The department head or City Administrator or Finance Director shall negotiate with the single supplier, to the extent practicable, to obtain the most advantageous contract to the city.

(Ord. 12-02, passed 8-27-2002; Am. Ord. 16-04, passed 9-14-04)

There are significant efficiencies of scale in sole sourcing this planning and engineering work to Davis & Floyd Engineering. As such, we would like to request a sole source contract for the Cooper Multi-use path from 2nd West to 2nd East with David & Floyd Engineering for the following reasons:

1. Davis & Floyd was previously used for the design and construction administration of the 2nd Street West Path and is currently working with the City on the Ashley Avenue path from 2nd

West to 2nd East. Davis & Floyd Engineering has also completed the conceptual plan for paths from 2nd West to 2nd East for the named streets between Ashley and Indian.

2. Davis & Floyd is a very qualified, local engineering firm, with a strong understanding of Folly Beach and can conduct site visits and attend meetings on very short notice.
3. Davis & Floyd has maintained a good working relationship with the SCDOT and local utilities.
4. Davis & Floyd now understands the existing conditions of the streets and ROWs in the project area and has in house surveying capability to enhance project flow.
5. Davis & Floyd has collected significant amounts of data during the previous multi-use path efforts that can be used and updated for this next phase.
6. The multi-use paths completed so far have been a success and we envision a continuation of this success with further multi-use path design and development.

Respectfully,

Eric Lutz, CBO, CFM
Director of Public Works

March 28, 2022

Mr. Eric Lutz
Director of Public Works
City of Folly Beach
21 Center Street
Folly Beach, SC 29439

Via Email: elutz@cityoffollybeach.com

Re: Proposal for Professional Services
East and West Cooper Avenue Multi-Use Path
Survey, Civil Engineering and Permitting.
Folly Beach, SC

Dear Mr. Lutz:

Davis & Floyd (D&F) appreciates the opportunity to offer a proposal for professional services to support the design and permitting of the new multi-use paths located in Folly Beach, SC. Our proposed task, further defined within the attached Scope, generally includes project management, survey, preliminary geotechnical assessments, civil engineering design, landscape architectural design, and permitting services within existing SCDOT right-of-way along Cooper Avenue from West 2nd Street to East 2nd Street as further shown on the attached exhibit.

We hope that you find our total proposed fee of **\$74,500.00**, including expenses, to be acceptable. A breakdown of the fee per Task of this work is included in the below table.

Cooper Ave Multi-Use Paths - Task		Effort
A – Project Management	\$	9,000.00
B – Survey & Preliminary Geotechnical Assessments	\$	18,000.00
C – Construction Documents	\$	28,500.00
D – Permitting	\$	19,000.00
Cooper Avenue Multi-Use Paths Total Lump Sum Fee	\$	74,500.00

A copy of D&F's Agreement for Professional Services is enclosed with this letter. Should you approve of the Scope of Services, Terms of Compensation, and the Terms and Conditions, you may execute a formal contract by executing the Agreement and returning to our attention. Thank you for allowing Davis & Floyd the opportunity to support this project. Please don't hesitate to contact us should you have any questions or concerns.

Very truly yours,

DAVIS & FLOYD

Steven R. Wall, PE
Senior Project Manager



Brent Robertson, PE
Vice President

DAVIS & FLOYD

SINCE 1954

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement, made this 28th day of March, 2022 between the City of Folly Beach (Client) and Davis & Floyd, Inc. (D&F), along with the referenced Attachments, constitute the entire Contract. Acceptance is limited to the terms and conditions stated herein and attached.

SERVICES: Client authorizes D&F to provide services as set forth below in connection with Client's project (Project) described as follows:

SCOPE: D&F agrees to provide the Professional Services as defined in the attached Scope of Services (Attachment A).

COMPENSATION: Compensation for the Professional Services described above will be billed on a Lump Sum basis for a total amount of \$ 74,500.00. Additional services requested or required in response to legal proceedings, including but not limited to depositions, will be invoiced at 1.5 times the applicable Standard Rate(s) in place at the time of services provided.

CONTRACT VALIDITY: This Contract is valid only if signed within thirty calendar days of the date of this Agreement as noted above unless officially agreed to by both parties. No modifications, alterations, changes, or waiver to the Standard Terms and Conditions shall be valid or binding unless officially agreed to and acknowledged by both parties. A sample Amendment to Agreement for Professional Services is included as Attachment C.

Through the signing of this Agreement the signatory represents and warrants that they are duly authorized to enter into this Agreement on the Client's behalf. Signatory further acknowledges receipt and acceptance of Standard Terms and Conditions (Attachment B).

Client Acceptance

Signature

Name of Signatory

Title

Date

Davis & Floyd, Inc.

Brent P. Robertson

Signature

Brent Robertson, PE

Name of Signatory

Vice President

Title

3-28-2022

Date

Attachments:

- A) Scope of Services
- B) Standard Terms and Conditions
- C) Sample Amendment to Agreement for Professional Services

DAVIS & FLOYD

Summary of Scope

Davis & Floyd (D&F) will provide project management, survey, landscape architecture, civil engineering, and permitting services to support the design and development of new pedestrian paths located within existing SCDOT right-of-way along Cooper Avenue from West 2nd Street to East 2nd Street in the City of Folly Beach, SC. Bidding and Construction Services are excluded from this proposal but can be made available if requested. Our proposed scope and design process is laid out below:

A –Project Management

D&F will provide management and general administrative duties for the Project within the Scope as detailed below.

A.1 Project Coordination

A.2 Meetings and Presentations

1. Project Kickoff Meeting
2. Site Visits with City Staff and Design Team
3. Project Update Meetings with City Staff

Deliverables:

- *Preparation of meeting agendas and supporting materials*
- *Meeting attendance*
- *Meeting notes & action items*

B –Survey & Preliminary Geotechnical Assessments

Through previous discussions with SCDOT, it has been determined that topographic and utility surveys will be a requirement for permitting. For this reason, D&F will perform a full topographic and existing utility survey for all areas located within the street rights-of-way of Cooper Avenue from 2nd Street East to 2nd Street West that fall within the project limits. All surveys will be performed to the requirements of the minimum standards manual for the practice of land surveying in South Carolina.

Additionally, due to the desire to utilize pervious materials and SCDOT's drainage requirements, D&F is proposing preliminary geotechnical assessments be completed along the corridor where the pedestrian improvements will be constructed. A subsurface exploration will be performed to identify basic soils information by utilizing hand auger borings to a depth of roughly five feet. Infiltration tests will also be completed that will aide in the selection of pervious materials and associated drainage reports that will be a permitting requirement of SCDOT. Geotechnical recommendations will be provided that will specify site preparation activities, necessary fill type, pavement design, infiltration rates, and construction procedures. Division C services will include the following:

B.1 Topographic Surveys

B.2 Utility Surveys (per 811)

B.3 Preliminary Geotechnical Explorations

Deliverables:

- *Topographic survey for Cooper Ave from 2nd St East to 2nd St West.*
- *Utility survey for Cooper Ave from 2nd St East to 2nd St West of utilities marked by 811 service.*
- *Preliminary Geotechnical report summarizing subsurface explorations and infiltration testing.*

Final surveys will be transmitted to the Client in PDF and AutoCAD 2010 compatible format.

C – Construction Documents

Based off the approved conceptual layouts completed in Phase A of this scope of work, D&F will design and prepare Construction Documents and technical specifications for the design of new pedestrian multi-purpose paths located within the existing road rights-of-way. D&F staff will attend update meetings with the Client to discuss and review any changes necessary for resubmittals to any necessary permitting review agencies. The drawings developed during this phase of the project will be used as plans for permitting and will include the following:

C.1 Construction Documents Including:

- C.1a** Cover Sheet and General Notes
- C.1b** Existing Conditions Plan
- C.1c** Demolition Plan
- C.1d** Site Plan
- C.1e** Grading Plan
- C.1f** Drainage Plan
- C.1g** Erosion Control Plan
- C.1h** Landscape Plans
- C.1i** Detail Sheets

Design Exclusions: It is assumed that the approved conceptual layouts will not change significantly during construction document development. Additional revisions to the site plan because of significant changes to the conceptual layouts will be considered additional services and billed at the rates shown in the attached Standard Rate and Reimbursable Schedule.

D – Permitting

Based on the completed construction documents, D&F will prepare and submit permit applications to the following Boards and Permitting Agencies:

D.1 Permitting Agencies

- D.1a** SCDHEC CZC
- D.1b** SCDHEC NOI
- D.1c** SCDHEC SWPPP Report and Model
- D.1d** City of Folly Beach (Planning & Zoning and Fire Department)

D.1e SCDOT Road Encroachments

Permitting Exclusions: It is assumed that no additional approvals will be needed by any local boards or commissions and that no variances will be required to complete the designs. Additional review or approval meetings will be considered additional services and billed at the rates shown in the attached Standard Rate and Reimbursable Schedule. Permitting fees are excluded from this proposal and it is anticipated that the City of Folly Beach will make payment for permitting fees. No bidding or construction services are included as a part of this scope of work.

Deliverables for Tasks A thru D will be sent via email as an electronic file as a .pdf copy.

(End of Scope of Services)

DAVIS & FLOYD, INC.
STANDARD TERMS AND CONDITIONS

AtadmatB

Unless otherwise agreed in a written contract, services provided by Davis & Floyd, Inc.
are expressly limited to the terms and conditions stated herein.

1. **QUALITY OF WORK.** All services of Davis & Floyd, Inc., ("D&F"), and its subsidiaries, independent professional associates, consultants and subcontractors will be performed in a reasonable and prudent manner in accordance with generally accepted industry practice. All estimates, recommendations, opinions and decisions of D&F will be on the basis of the information available to D&F's experience, technical qualifications, and professional judgement.

2. **INVOICES AND PAYMENT.** Invoices will be submitted periodically directly to the Client (customarily on a monthly basis) and are due and payable upon receipt. The billing of a third party will not be accepted without a statement, signed by the third party, which acknowledges and accepts payment responsibility. Client will be responsible for any applicable taxes in the manner and amount as required by law.

Expenses properly chargeable for the services which are reimbursable at cost shall include: travel and subsistence expenses of personnel when away from their office on business directly or indirectly connected with the Project; identifiable communication, shipping, printing, and reproduction costs; professional and technical subcontractors; identifiable drafting and stenographic supplies; computer time and software; and expandable materials and supplies purchased specifically for the Project. A fifteen percent (15%) handling and administrative charge will be added to those foregoing items, which are purchased from outside sources. When D&F, subsequent to initiation of services, finds that specialized equipment is needed to perform the services, it will purchase and/or lease, as appropriate, the equipment as a reimbursable expense. Analyses performed in the D&F's or D&F's subconsultant's laboratories will be billed on a unit-cost-per-analysis basis unless specified otherwise in the proposal.

Unpaid balances shall be subject to a late charge at the rate of one and one half percent (1.5%) per month from the date of invoice if the unpaid balance is not paid within 30 days. In addition, D&F may, after giving seven days written notice to Client, suspend services without liability until Client has paid in full all amounts due D&F on account of services rendered and expenses incurred, including late charges on the past due invoices. Payment of invoices is not subject to discounting by Client. Time is of the essence in payment of invoices, and timely payment is a material part of the consideration of the agreement between D&F and the Client. Venue of legal proceedings shall be in the county of the principal place of business of D&F.

3. **CHANGES OR DELAYS.** Unless the accompanying Proposal provides otherwise, the proposed fees constitute the D&F's estimate to perform the services required to complete the Project, as we understand it to be defined. For those projects involving conceptual or process development work, activities often are not fully definable in the initial planning. In any event, as the project progresses, the facts developed may dictate a change in the services to be performed, which may alter the scope. D&F will inform the Client of such situations so that negotiation of change in scope and adjustment to the time of performance can be accomplished as required. If such change, additional services, or suspension of services results in an increase or decrease in the cost of or time required for performance of the services, whether or not changed by any order, an equitable adjustment shall be made and the Agreement modified accordingly.

Costs and schedule commitments shall be subject to renegotiation for unreasonable delays caused by the Client's failure to provide specified facilities or information, for delays caused by unpredictable occurrences or force majeure, such as fires, floods, riots, strikes, unavailability of labor or materials, delays or defaults by suppliers of materials or services, process shutdown, acts of God or of the public enemy, or acts or regulations of any governmental agency. Temporary work stoppage caused by any of the above will result in additional cost (reflecting a change in scope) beyond that outlined in this proposal.

4. **INSURANCE.** As protection for D&F, Workers Compensation Insurance, Comprehensive General Liability Insurance, and Professional Liability Insurance is maintained at D&F's expense. Certificates of such insurance will be provided to Client upon request. D&F agrees to purchase additional insurance if requested by Client (presuming such insurance is reasonably available, from carriers acceptable to D&F) provided the costs for additional insurance are reimbursed by Client.

5. **INDEMNIFICATION AND ALLOCATION OF RISK.** To the fullest extent permitted by law, D&F shall indemnify and hold harmless Client, Client's officers, directors, partners, and employees from and against costs, losses, and damages (including, but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of D&F, D&F's officers, directors, partners, employees, and consultants in the performance of D&F's services under this agreement.

To the fullest extent permitted by law, Client shall indemnify and hold harmless D&F, D&F's officers, directors, partners, and employees from and against costs, losses, and damages (including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of Client or Client's officers, directors, partners, employees, and consultants with respect to this agreement.

To the fullest extent permitted by law, D&F's total liability to Client and anyone claiming by, through, or under Client for any injuries, losses, damages and expenses caused in part by the negligence of D&F and in part by the negligence of Client or any other negligent entity or individual, shall not exceed the percentage share that D&F's negligence bears to the total negligence of Client, D&F, and all other negligent entities and individuals.

6. **LIMITS OF LIABILITY.** It is understood that any and all professional liabilities incurred by D&F throughout the course of rendering professional services on this Project shall be limited to a maximum of the net fee received by D&F, not including reimbursable expenses and subconsultants, for all services rendered on the Project.

7. **LITIGATION.**

All costs associated with compliance to any subpoena for documents, for testimony in a court of law, or for any other purpose relating to work performed by D&F, in connection with work performed for that Client, shall be paid by the Client. Such costs shall include, but not be limited to, hourly charge for persons involved in responding to subpoenas, travel and accommodations, mileage, attorney's preparation of testimony and advice of counsel in connection with response to subpoenas, and other expenses deemed reasonable and associated with said litigation.

8. **ACCESS.** Client shall arrange for safe access to and make all provisions for D&F and D&F's consultants to enter upon public and private property as required for D&F to perform services.

9. **TERMINATION.** Either party may terminate the Agreement, in whole or in part, by giving seven days written notice, if the other party substantially fails to fulfill its obligations under the Agreement through no fault of the terminating party. The final invoice will include all services and expenses associated with the Project up to the effective date of termination. In any event, an equitable adjustment shall be made to provide for termination settlement costs D&F incurs relating to commitments that had become firm before termination and for a reasonable profit for services performed.

10. **CONFIDENTIALITY.** D&F shall maintain as confidential and not disclose to others without Client's prior written consent, all information obtained from Client not otherwise previously known to D&F or in the public domain, as Client expressly designates in writing to be "CONFIDENTIAL." The provisions of this paragraph shall not apply to information in whatever form which (1) is published or comes into the public domain through no fault of D&F, (2) is furnished or obtained from a third party who is under no obligation to keep the information confidential, or (3) is required to be disclosed by law on order of a court, administrative agency or other authority with proper jurisdiction.

Client agrees that D&F may use and publish Client's name and a general description of D&F's services with respect to the Project in describing D&F's experience and qualifications to other Clients or potential Clients.

11. **COST ESTIMATING.** Since D&F has no control over the cost of labor, materials, equipment or services furnished by others, or over methods of determining prices, or over competitive bidding or market conditions, any and all opinions as to costs rendered hereunder, including but not limited to opinions as to the cost of construction and materials, shall be made on the basis of its experience and qualifications and represent its best judgement as an experienced and qualified professional, familiar with the construction industry; but D&F cannot and does not guarantee that proposals, bids or actual costs will not vary from opinions of probable cost prepared by it. If at any time the Client wishes greater assurance as to the amount of any cost, he shall employ an independent cost estimator to make such a determination.

12. **REUSE OF DOCUMENTS.** All documents, including drawings and specifications, prepared or furnished by D&F (and D&F's subsidiaries, independent professional associates, consultants and subcontractors) pursuant to this Agreement are instruments of service in respect of the Project and D&F shall retain copies for information and reference in connection with the Project; however, such documents are not intended or represented to be suitable for reuse by Client or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by D&F for the specific purpose intended will be at Client's sole risk and without liability or legal exposure to D&F or D&F's subsidiaries, independent professional associates, consultants and subcontractors from any and all costs, expenses, fees, losses, claims, demands, liabilities, suits, actions and damages whatsoever arising out of or resulting therefrom. Any such verification or adaptation will entitle D&F to further compensation at rates to be agreed upon by Client and D&F.

13. **USE OF ELECTRONIC MEDIA.** Copies of documents that may be relied upon by Client are limited to the printed copies (also known as hard copies) that are signed or sealed by D&F. Files in electronic media format of text, data, graphics, or of other types that are furnished by D&F to Client are only for convenience of Client. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk.

When transferring documents in electronic media format, D&F makes no representations as to long-term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by D&F at the beginning of the assignment. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of the data's creator, the party receiving electronic files agrees that it will perform acceptance tests or procedures within 30 days, after which the receiving party shall be deemed to have accepted the data thus transferred. The party delivering the electronic files will correct any errors detected within the 30-day acceptance period. D&F shall not be responsible to maintain documents stored in electronic media format after acceptance by Client.

14. **HANDLING OF SAMPLES.** With regards to samples received by D&F for laboratory analysis, after the analytical results have been reported, samples are routinely retained in our storage facilities for 14 days. Prior arrangements must be made if samples are to be held for longer periods. D&F may charge a monthly fee for long-term storage of samples. Unused portions of samples found or suspected to be hazardous according to state or federal guidelines may be returned to the Client upon completion of the analytical work. These include samples known or suspected to contain hazardous materials as defined by state or federal regulatory agencies. The cost of disposal or returning the samples may be invoiced to the Client. The sample and portions thereof remain the property of the Client at all times.

15. **RETENTION OF LABORATORY REPORTS.** After analytical results have been reported to Client, D&F will normally retain copies of such analytical reports for a period of three years, after which time such reports may be destroyed. D&F makes no guarantee and assumes no responsibilities for retention of such reports. If Client requests additional copies of such analytical reports during the retention period, an additional charge will apply for the preparation and printing of such reports.

16. **CONTROLLING AGREEMENT.** To the extent they are inconsistent or contradictory, express terms of the accompanying Proposal take precedence over these Standard Terms and Conditions. It is understood and agreed that the services performed under the accompanying Proposal or any related Agreement are not subject to any provision of any Uniform Commercial Code. Any terms and conditions set forth in Client's purchase order, requisition, or other notice or authorization to proceed are inapplicable to the service under this proposal or any related Agreement, except when specifically provided for in full on the face of such purchase order, requisition, or notice or authorization and specifically accepted in writing by D&F. D&F's acknowledgement of receipt of any purchase order, requisition, notice or authorization of D&F's performance of work subsequent to receipt thereof does not constitute acceptance of any terms or conditions other than those set forth herein.

17. **PROPRIETARY DATA.** The technical and pricing information contained in the accompanying Proposal or Agreement is to be considered Confidential and Proprietary and is not to be disclosed or otherwise made available to third parties without express written consent of D&F.

18. **GOVERNING LAW.** This Agreement is to be governed by and construed in accordance with the law of the principal place of business of D&F.

19. **CONTRACTS.** All contracts are subject to review and approval by D&F's legal department and must be signed by a corporate officer.



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: June 14th, 2022

RESOLUTION 19-22

A RESOLUTION AWARDING \$500 TO THE FOLLY BEACH CIVIC CLUB TO PUBLISH A SIX-PAGE COLOR EDITION OF THE SANDSPUR IN JULY 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 \$500 to the Folly Beach Civic Club 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 \$500 to the Folly Beach Civic Club as recommended by the Community Promotions Committee.

RATIFIED this 14th day of June 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



Name of Organization: Folly Beach Civic Club

Purpose of Organization: Community Outreach

Status of Organization: Profit ☐ Non Profit ☒

Address of Organization: PO Box 884, Folly Beach, SC 29439

Telephone Number: 316-371-6519

Email address dahart482@gmail.com

Contact Person: Dale Hart

Fund Request Amount: \$ 1,000

Please state purpose for the fund request and how it meets the legal precedent stated in Application Criteria section on page 1.

The July Sandspur will be done in a "Fourth of July" theme with color pages. This adds to the normal cost by \$1000. We send this communication to all PO Boxes on

Folly as well as 20 others off island and out of state.

Application Special Conditions:

Does this application require any special waivers that would affect Public Safety, Public Works, or City Staff? No

Are variances by City Council needed, such as street closings or the permission of the alcohol open container law? None

Applicant: Dale A Hart *Dale A Hart*

Applicant Signature: _____

If approved, make check payable to: FBCC

Pick up ☐ Mail ☒ If mail, address: PO Box 884, Folly Beach, SC 29439-0884



Community Promotions Committee

June 7th, 2022
6:00 pm
Council Chambers

Committee Members:
Marsha Riggs, Acting Chair
Thom Peragnoli
Roger Rutledge
Bill Sypolt
Lesley Watson-Miller

Regular Meeting Minutes

1. Call to Order/Roll Call

Present: Rutledge, Peragonoli, Sypolt
Absent: Watson-Miller, Riggs
Staff Present: Wes Graham

2. Approval of Previous Minutes: February 17th, 2022

No Objections

3. New Business:

Request for Funds: Folly Beach Civic Club

\$1,000.00

Mr. Hart, FB Civic Club Treasurer, presented a request for funds to help cover a full-color print job for the Folly Beach Sandspur July addition. Mr. Hart stated that due to rising costs the request had to be more this year. He explained that next year they will be adding this request into their budget.

Mr. Sypolt stated that this seems too high and would support \$500.

Mr. Rutledge moved for approval for \$500. Mr. Sypolt seconded.

All In Favor.

Request for Funds: Coastal Family Vacation

\$1,000.00

Deana Dockery, Coastal Family Vacation President. Ms. Dockery requested funds to help families undergoing cancer treatments. She explained that this program brings any South Carolina resident and their family to folly beach to bring some joy and positive energy during the trying times of cancer treatment.

Mr. Sypolt stated that this is a wonderful program. However, the CPC funding is meant for residents.

Mr. Peragnoli said he agrees with Mr. Sypolt that this is a much needed program but questioned if this was the appropriate place for funding.

Mr. Rutledge stated that he would like to see this program flourish and suggested

local partners.

Mr. Sypolt said that they should approve this request for the purpose of supporting the cause and let council make the final decision.

Mr. Peragonoli agreed.

Mr. Sypolt moved for approval for \$1000. Mr. Peragnoli seconded.

All In Favor.

4. **Adjournment:** 6:20PM



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin
Date: June 14th, 2022

RESOLUTION 21-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL TRANSFERRING REMAINING BUDGETED FUNDS WITHIN THE FY2022 GENERAL FUND BUDGET TO RESERVE ACCOUNTS FOR PROJECTS IN FUTURE FISCAL YEARS.

WHEREAS, City Council passed the FY2022 budget, the current fiscal year operating budget for the General Fund, which identified expenditures for projects and estimated revenues from certain sources; and

WHEREAS, Several projects require additional funds or time to complete and could not be accommodated within the current operating budget; and

WHEREAS, The City wishes to set aside current fiscal year funds from budget savings or surplus revenue to provide additional budgeted funds in future budget years to fund these projects.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina, that the Administration is authorized to transfer the following funds shown, or up to the lesser remaining amounts in the FY22 expense accounts after all activity for FY22 is accounted for, to reserve accounts that shall remain in reserve across fiscal years:

For Public Safety Dispatch Radio Console/Consolette Replacement:

- From FY22 Dispatch Capital: \$6,000 to 10-1050-8430 Reserve-Public Safety Radios.
- From FY22 Dispatch Contracts: \$10,000 to 10-1050-0450 Reserve-Records Mgmt/Central Dispatch
- From FY22 Police Training: \$3,500 to 10-1050-0450 Reserve-Records Mgmt/Central Dispatch
- From FY22 Fire Training: \$18,000 to 10-1050-0450 Reserve-Records Mgmt/Central Dispatch
- From FY22 Dispatch Operating: \$3,500 to 10-1050-0450 Reserve-Records Mgmt/Central Dispatch
- From FY22 Police Overtime: \$30,000 to 10-1050-0450 Reserve-Records Mgmt/Central Dispatch

For Community Center Projects:

- From FY22 Facilities Operating: \$11,500 for storage cabinets at community center to 10-1050-7731 Reserve-Community Center
- From FY22 Facilities Capital: \$25,000 for new entry door for community center to 10-1050-7731 Reserve-Community Center

Other Carryover Projects:

- From FY22 Facilities Operating: \$6,000 digital building plans work center to 10-1050-9610 Reserve-Facilities Equipment (New Account)
- From FY22 Facilities Capital: \$20,000 for software and upgrades to 10-1050-9610 Reserve-Facilities Equipment (New Account)
- From FY22 Public Works Capital: \$9,500 for garbage truck repaint to 10-1050-0150 Reserve-Public Works Vehicles
- From FY22 Public Works Operating Supplies: \$2,000 for Barricades to 10-1050-9610 Reserve-Facilities Equipment (New Account)
- From FY22 Fire Vehicle Repairs: \$5,000 for Public Safety Vehicles and Equipment to 10-1050-0100 Reserve-Police Vehicles

RATIFIED this ____ day of June 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: June 14th, 2022

RESOLUTION 22-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL FOR THE ADOPTION OF THE FY23 BUDGET CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES FOR THE TOURISM AND VISITORS PROMOTION COMMITTEE BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023.

WHEREAS, A certain portion of the State Accommodation Tax funds are used for the advertising and promotion of tourism; and

WHEREAS, The portion allocated for advertising and promotion of tourism is 30% of the funds received from the state; and

WHEREAS, The advertising and promotion fund revenue must be given to a designated marketing organization or organizations that have an existing, on-going tourism promotion program; and

WHEREAS, The funds must be used for advertising and promotion of tourism to develop and increase tourist attendance through the generation of publicity; and

WHEREAS, The FY23 Budget, which has been approved by the Tourism Visitors Promotion Committee (TVPC), is attached.

WHEREAS, That for the expenses of the Tourism and Visitors Promotion Committee and its activities for the fiscal year beginning July 1, 2022 and ending June 30, 2023, the following amounts for the following purposes, are hereby appropriated per the attached budget schedule:

TOTAL EXPENDITURES \$693,857

TOTAL REVENUES \$693,857

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina, that the attached FY23 Budget for the Tourism and Visitors Promotion Committee is approved pursuant to S.C Code of Laws, Section 6.4.10(3).

RATIFIED this 14th of June 2022 at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Mayor, Tim Goodwin

TVPC FY 23 Budget

[illegible]



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin
Date: June 14th, 2022

RESOLUTION 23-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL INCREASING THE RATES FOR PAID PARKING FROM \$2.50 AN HOUR TO \$3.00 AN HOUR AND FROM \$10.50 PER DAY TO \$11.00 PER DAY.

WHEREAS, The Folly Beach Code of Ordinances allows City Council to periodically set the price of paid parking; and

WHEREAS, Rates have not been changed since 2019 while costs to the contractor have increased; and

WHEREAS, Revenue from paid parking is used to pay the contractor's costs and to fund City operations related to parking and beach access improvement; and

WHEREAS, City Council reviewed the proposed rate increase in May of 2022.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina, that the Park Folly is authorized to raise the rates for paid parking from \$2.50 an hour to \$3.00 an hour and from \$10.50 per day to \$11.00 per day. This rate change shall be effective upon adoption.

RATIFIED this 14th day of June 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: June 14th, 2022

RESOLUTION 24-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL AWARDING A CONTRACT TO ELKO COASTAL CONSULTING INC. IN THE AMOUNT OF \$7,600 TO COMPLETE AN ISLANDWIDE MAPPING OF THE CRITICAL LINE AND BULKHEAD INVENTORY.

WHEREAS, Whereas the 2015 Local Comprehensive Plan and the City's Marsh Management Plan identify mapping of the critical line and inventorying erosion control structures; and

WHEREAS, Elko Coastal Consulting has unique experience with Folly Beach coastal geology, land use planning, beach renourishment and preservation, and was the primary consultant for multiple long-range plans of the City related to marsh and beach management; and

WHEREAS, Elko Coastal Consulting has provided a proposal to survey and map the location of the critical line and bulkheads within the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina as follows:

That the Administration is authorized to award a contract to Elko Coastal Consulting Inc. by \$7,600 for a critical line and bulkhead mapping project.

RATIFIED this 14th day of June 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



City of Folly Beach

Date: June 14th, 2022

Re: Sole Source Letter, Dr Elko

Mayor and Council,

Sole Source Contract – Marshfront Critical Line Mapping & Bulkhead Inventory.

According to City of Folly Beach Code Title III Administration, Chapter 36 Finances, Section 18 Sole Source Purchasing:

(A) A contract may be awarded for supplies, services, professional services, or construction without formal competitive bidding or other competitive purchasing in accordance with §§ [36.15](#) through [36.20](#). Any request by a department head that a procurement be restricted to one potential source shall be accompanied by a letter from the using department signed by the department head stating why no other source will be suitable or acceptable to meet the needs. A contract may be awarded for a property, supply, service, or construction item without competition when the City Administrator and Director of Finance determine in writing that there is only one source for the required property, supply, service, or construction item or that the proposed award to a single source is a permitted, non-competitive procurement as established herein. A sole source purchase may not be made if a reasonable alternative solution exists.

As such, I am recommending Elko Coastal Consulting, Inc. as the City of Folly Beach's sole sourced contractor for a Marshfront critical line mapping and bulkhead inventory. Dr. Elko has a unique mix of training and experience consisting of coastal geology, marshfront management, and barrier island critical area surveying. Her historical understanding and insight into our marshfront management needs and her previous work with the City, over the past 10 years, to create the City's Marsh Front Management Plan, critical area ordinance development and overall beach & marsh monitoring, makes her uniquely qualified to continue to assist the City with this task.

Respectfully,

Eric Lutz, CBO, CFM
Director of Public Works

In this project, the City will once again be leading a proactive and progressive effort for South Carolina beachfront communities. No other similar mapping products exist. In fact, there is no standard surveying procedure for critical line mapping, as there is, for example, for beach profile or primary dune mapping. Elevation data points will be collected at a maximum interval of 20 feet. The line will track the critical transition between the marsh and upland ecosystem. In addition, aerial drone footage will be collected of the marshfront shoreline and existing bulkheads.

Once this project is complete, the City can work with the College of Charleston and S.C. Sea Grant to improve flood modeling and identify flooding hot spots. This will help with permitting, regulations, grant applications, planning, and other flood mitigation activities.

Preliminary Scope of Services

ECC proposes to conduct the mapping and inventory during the Summer of 2022 with the help of two interns. The following summarizes a general scope of work:

1. Project Management
 - a. Host a Kick-off Meeting with City Staff to review a survey plan with a public notification component.
 - b. Obtain documents, permits, and applications for existing and proposed marshfront bulkheads.
2. Field Data Collection
 - a. Conduct real-time kinematic (RTK) elevation data collection using standard land surveying techniques to:
 - i. Map the critical line along the marshfront at 20 ft intervals
 - ii. Survey existing bulkheads including elevation, footprint, and distance from critical line.
 - b. Obtain aerial drone footage of the marshfront shoreline and existing bulkheads
3. Data Processing
4. Mapping
 - a. Produce baseline mapping products for the city to visualize the marshfront critical line and bulkheads along the marshfront
5. Modeling
 - a. Initiative coordination with S.C. Sea Grant and College of Charleston to incorporate new mapping data into flood models.

Schedule

Jun 2022	Notice to Proceed and Kick-Off Meeting Field Data Collection
Aug 2022	Complete Field Data Collection Data Processing & Mapping
Sep 2022	Project Completion

Fee

These services will be provided at a lump sum cost of \$7,600. The period of performance of this proposal is June 2022 until September 2022, with the final deliverable due on September 30, 2022.



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin
Date: June 14th, 2022

RESOLUTION 25-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL AUTHORIZING THE ADMINISTRATION TO APPLY FOR GREENBELT FUNDS FOR THE PURCHASE OF 502 AND 504 EAST HURON.

WHEREAS, Whereas the desires to conserve open space where possible, including through the purchase of private property; and

WHEREAS, The Charleston County Greenbelt Program has funds set aside for the City of Folly Beach specifically for this purpose; and

WHEREAS, The City has received \$150,000 in previously unawarded State appropriations related to parks which can also be used for this purchase; and

WHEREAS, The owners of 502 and 504 East Huron have expressed an interest in selling the properties to the City, an appraisal has been performed, and the owners have submitted a purchase agreement with a proposed price of \$385,000.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina as follows:

That the Administration is authorized to pursue Greenbelt funding for the purchase of 502 and 504 East Huron for \$235,000 (added to a City match of \$150,000) to include any additional associated real estate transaction costs.

RATIFIED this 14th day of June 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: June 14th, 2022

RESOLUTION 26-22

A RESOLUTION AUTHORIZING THE PURCHASE OF EMBROIDERED POLO T-SHIRTS FOR EACH SITTING COUNCIL PERSON PAID FROM THE COUNCIL DISCRETIONARY FUND.

WHEREAS, Council has shown interest in purchasing branded polo t-shirts for themselves; and

WHEREAS, Branded attire is appropriate when representing the City of Folly Beach in an official capacity.

NOW THEREFORE LET IT BE RESOLVED, on the 14^h day of June 2022 that the Folly Beach City Council approves the Administration to release \$200 (Two Hundred Dollars) from the City Council's Discretionary Fund (5500-3650) to purchase branded polo shirts.

RATIFIED this 14th day of June 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: June 14th, 2022

RESOLUTION 27-22

A RESOLUTION AWARDED \$1,000.00 TO THE COASTAL FAMILY VACATION FOUNDATION TO PROVIDE BEACH VACATIONS TO SOUTH CAROLINA RESIDENTS BATTLING CANCER RECOMMENDATION OF 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 \$1,000.00 to the Coastal Family Vacation Foundation 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 \$1,000.00 to the Folly Beach Civic Club as recommended by the Community Promotions Committee.

RATIFIED this 14th day of June 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor

Name of Organization: Coastal Family Vacation Foundation, Inc.

Purpose of Organization: We provide beach vacations to SC residents battling cancer.

Status of Organization: Profit Non Profit XX

Address of Organization: PO Box 69, Folly Beach, SC 29439

Telephone Number: 843.276.9878 Email address: admin@coastalfamilyvacation.org

Organization Contact Person: Deana Dockery

Fund Request Amount: \$ 1,000.00

Please state purpose for the fund request and how it meets the legal precedent stated in Application Criteria section on page 1.

1. Hosting families needing a break from cancer in Folly Beach enhances our reputation as a family beach. The funds will be used to secure lodging, food, amenities for the families.

2. Beneficiaries are SC residents actively undergoing cancer treatments (nominated by their treating physician) and their immediate family and/or caregivers.

3. The benefits will be: to encourage wholesome tourism within the city; to spread the word across the state that Folly is a family destination

4. These families will tell their friends, families and colleagues about Folly. CFVF will actively promote Folly on its webpage and social media.

Application Special Conditions:

Does this application require any special waivers that would affect Public Safety, Public Works, or City Staff? No

Are variances by City Council needed, such as street closings or the permission of the alcohol open container law? No

Applicant Signature: _____

If approved, make check payable to: Coastal Family Vacation Foundation

Pick up Mail X If mail, address: PO Box 69, Folly Beach, SC 29439



Community Promotions Committee

June 7th, 2022
6:00 pm
Council Chambers

Committee Members:
Marsha Riggs, Acting Chair
Thom Peragnoli
Roger Rutledge
Bill Sypolt
Lesley Watson-Miller

Regular Meeting Minutes

1. Call to Order/Roll Call

Present: Rutledge, Peragonoli, Sypolt
Absent: Watson-Miller, Riggs
Staff Present: Wes Graham

2. Approval of Previous Minutes: February 17th, 2022

No Objections

3. New Business:

Request for Funds: Folly Beach Civic Club \$1,000.00

Mr. Hart, FB Civic Club Treasurer, presented a request for funds to help cover a full-color print job for the Folly Beach Sandspur July addition. Mr. Hart stated that due to rising costs the request had to be more this year. He explained that next year they will be adding this request into their budget.

Mr. Sypolt stated that this seems too high and would support \$500.

Mr. Rutledge moved for approval for \$500. Mr. Sypolt seconded.

All In Favor.

Request for Funds: Coastal Family Vacation \$1,000.00

Deana Dockery, Coastal Family Vacation President. Ms. Dockery requested funds to help families undergoing cancer treatments. She explained that this program brings any South Carolina resident and their family to folly beach to bring some joy and positive energy during the trying times of cancer treatment.

Mr. Sypolt stated that this is a wonderful program. However, the CPC funding is meant for residents.

Mr. Peragnoli said he agrees with Mr. Sypolt that this is a much needed program but questioned if this was the appropriate place for funding.

Mr. Rutledge stated that he would like to see this program flourish and suggested

local partners.

Mr. Sypolt said that they should approve this request for the purpose of supporting the cause and let council make the final decision.

Mr. Peragonoli agreed.

Mr. Sypolt moved for approval for \$1000. Mr. Peragnoli seconded.

All In Favor.

4. **Adjournment:** 6:20PM