

**CITY OF FOLLY BEACH**

**Tim Goodwin, Mayor**



**Folly Beach, SC 29439**

**[www.cityoffollybeach.com](http://www.cityoffollybeach.com)**

**(P) 843-588-2447**

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**Adam Barker, Council Member**  
**William Farley, Council Member**  
**Billy Grooms, Council Member**

**Katherine Houghton, Council Member**  
**Eddie Ellis, Council Member**  
**D.J. Rich, Mayor Pro-Tem**

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**City Council Meeting 7:00 PM**  
**Tuesday September 13, 2022**

**Council Chambers**  
**21 Center Street**  
**Folly Beach, SC 29439**

- 1. CALL TO ORDER/ROLL CALL**
- 2. INVOCATION & PLEDGE OF ALLEGIANCE**
- 3. MAYOR'S COMMENTS**
- 4. STAFF REPORTS**
  - a. Updated Parking Plan-Eric Lutz.
  - b. Annual Updates to the Charleston Regional Hazard Mitigation Plan-Eric Lutz.
  - c. City Sponsored Recreational Providers-Lacey Deeds.
  - d. Tennis and Pickleball Reservations -Lacey Deeds.
- 5. APPROVAL OF AGENDA**
- 6. APPROVAL OF MINUTES**
  - a. Minutes 8.9.2022 & 8.27.22
- 7. PERSONAL APPEARANCES**
  - a. Presenting of Coolers-Civic Club.
  - b. Marsh Island Residential Zone-Carl Hally.
  - c. Flippers and Fur Festival-Clara Haught.
- 8. CITIZENS' COMMENTS**

## 9. COMMISSION, BOARD, COMMITTEE REPORTS

- a. Status of Parks and Recreation Board-Aaron Pope.

## 10. OLD BUSINESS

- a. **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. **(SECOND READING)**
- b. **ORDINANCE 027-22:** An Ordinance Amending the Folly Beach Code of Ordinances Chapter 117 (Short Term Rentals) By Changing the Requirements for Business Licenses and Rental Registration Permits for Short Term Rentals, Amending the Violations Subject to Rental Strikes, And Lowering the Number of Strikes Required Prior To The Initiation of License Revocation.**(SECOND READING)**
- c. **ORDINANCE 029-22:** An Ordinance Amending the Folly Beach Code of Ordinances Chapter 151 (Protection of Loggerhead Sea Turtles) By Creating Section 151.50 (Penalties and Enforcement) To Establish a Civil Penalty for Violations of Turtle Lighting Requirements. **(SECOND READING)**
- d. **ORDINANCE 030-22:** An Ordinance Amending the Folly Beach Code of Ordinances Chapter 131 (Noise), Section 131.35 (Penalties and Enforcement) To Change the Penalty for Violations of The Noise Ordinance to A Civil Penalty. **(SECOND READING)**

## 11. NEW BUSINESS

- a. Appointments to Boards, Commissions, and Committees
  - a. Design Review Board- 1 Vacancy
    - i. Pamela Barton
    - ii. Betsy Glass
- b. **ORDINANCE 031-22:** An Ordinance Amending Chapter 164 Of the Folly Beach Code of Ordinances (Development Standards) By Creating Section 164.06, Property Specific Uses Allowed by Variance, To Allow a Nine-Bedroom Inn to Be Built in The Residential Two-Family District At 206 W Arctic St. (TMS# 328-14-00-156).**(REMAND TO PLANNING COMMISSION)**
- c. **RESOLUTION 34-22:** A Resolution by The City Council Awarding FY 22-23 A-Tax Funds Based on The Accommodations Tax Advisory Board's Recommendation.
- d. **RESOLUTION 35-22:** Pledging to Practice and Promote Civility in The City of Folly Beach.
- e. **RESOLUTION 36-22:** A Resolution Awarding \$900 to the Folly Beach Civic Club to Purchase Inflatable Decorations and Candy for The Civic Club Halloween Carnival by Recommendation of The Community Promotions Committee.
- f. **RESOLUTION 37-22:** A Resolution by The Folly Beach City Council Authorizing Staff to Complete an Assessment and Cost Estimate, Based on The Approved Conceptual Design, For Completion of The Pedestrian Path Along 2nd Street East.
- g. **RESOLUTION 38-22:** A Resolution by The Folly Beach City Council Awarding the Contract for Services Described in The Folly Beach City Hall Exterior Renovation Project.

**12. 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.**



# City of Folly Beach

Date: September 13<sup>th</sup>, 2022

Re: Paid Parking Expansion

Mayor and Council,

The SCDOT has asked for revisions to the Parking Plan we submitted in August of 2020. Staff met with SCDOT last month and gave us the following guidance:

1-Residents and visitors are to be given equal opportunities for prime parking near the beach.

The SCDOT expressed concerns that residents were given priority in paid parking areas along the right of way. They confirmed that the beach front paid parking lots, which are not in the right of way, are not subject to SCDOT's review. It is possible that our residential parking sticker program may need to be amended to only allow free parking in the paid parking lots and not along the road shoulder.

2-Paid parking is to be limited to 1/3 of the overall available parking.

As proposed, free parking would account for 33% of beach front right of way parking (368 of 1,115 spaces).

As proposed, paid parking would account for 11% of total island wide right of way parking (368 of 3,290 spaces)

3- Free parking should be available in prime locations.

Due to the geography of Folly Beach, the furthest distance from free parking is to the beach is approximately ¼ of a mile from a beach access. This equates to roughly a five-minute walk. The majority of all free parking (55% percent) is located within 700' of a beach access through either a mid-block access path or numbered street. This equates to roughly a three-minute walk.

4-Rates/fines should be reasonable and similar to other beach communities.

See rate table information attached.

5-Proposed parking plans are available for the public to review/comment during a public comment period.

The City will take public comment for 30 days regarding this revised plan, and will send all public comments received to the SCDOT along with the proposed plan.

6-Golf cart parking is acceptable. It is preferred that it is located in the areas that do not accommodate a standard vehicle.

Existing golf cart parking is clearly labeled on the plan that will be submitted to SCDOT for their official review and approval.

Eric Lutz

Director of Public Works

## Coastal Parking Rates Compared

- Folly Beach: \$2.50/1<sup>st</sup> hr, then \$2/hour up to \$10.50/day
- Isle of Palms: \$15 flat rate until 4pm, then \$2/hour rate offered
- Myrtle Beach: \$3/hour, \$15/day
- North Myrtle Beach: \$2/hour
- Surfside Beach: \$2/hour, \$10/day
- City of Charleston: varies, but most places \$2/hour
- Savannah, GA: varies, but most places \$2/hour, \$16/day
- Carolina Beach, NC: \$5/hour, \$25/day
- Wrightsville Beach, NC: \$5/hour, \$25/day



# City of Folly Beach

Date: September 13<sup>th</sup>, 2022

Re: Annual updates to the Charleston Regional Hazard Mitigation Plan

Mayor and Council,

The Charleston Regional Hazard Mitigation Plan is the adopted Hazard Mitigation Plan for the City. This plan is required by the Federal Emergency Management Agency (FEMA) in order to receive disaster funding and reimbursement, as well as federal mitigation grants. Each year, the City participates in yearly updates that are approved by the plan's thirty-one committee members. For additional Community Rating System credits, these yearly updates are required to be distributed Council. The summary of changes for the 2022-2023 plan are as follows. If you have questions please contact Eric Lutz at [elutz@follybeach.gov](mailto:elutz@follybeach.gov).

## **Summary of Changes Made to the Charleston Regional Hazard Mitigation Plan for 2022-2023 Update:**

### **Table of Contents**

- Updated year 2021 to 2022
- Updated page numbers

### **Section 1: Introduction**

- Community Profile (1.2): Generally updated tables and statistics
  - Figures 1.1, 1.2, 1.3

### **Section 2: Goals**

- No updates

### **Section 3: Planning Process**

- Planning Process Summary (3.6): Added the most recent public meetings about the Plan.
- Updated Tables 3-B, 3-C, and 3-D
- Table 3-E will be updated throughout the year as entities adopt the 2019 FEMA-approved plan.

### **Section 4: Hazard Assessment**

- Updated the table of all hazard events occurring in 2021-2022.
- Updated Flood Prone Areas of Charleston County
- Updated Historical Occurrences for sections 4.2-4.15, where applicable.
- Pandemics (4.16):

- Updated to include the most recent COVID-19 data
- Updated Table 4.2 Summary of Hazard Extent

### **Section 5: Problem Assessment**

- Updated Table 5-1-16; Anticipated Future Development Trends within the Charleston Region
- Updated all jurisdictions for each hazard listed
  - This may include flood prone areas, historical occurrences, probability, location, problem statements, repetitive loss areas, vulnerabilities (including buildings, infrastructure and critical facilities), higher regulatory standards, population trends, economic impact and SFHA information.

### **Section 6: Possible Activities**

- Updated Table 6-C Drainage Improvement Projects

### **Section 7: Adopting Resolution and Jurisdiction-Specific Action Plans**

- Updated Action Plans for 2022-2023
- Updated Adopting Resolutions for the jurisdictions who formally readopted the plan in 2022.

### **Section 8: Appendices**

- Updated Table 1: Designated Members of the Committee
- Updated Table 3: Other Participating Partners of the Committee
- Updated Table 4: Site-Built Structures Valuation Per Jurisdiction
- Updated Table 5: Percentages of Homes within SFHA's per Jurisdiction
- Updated Table 6: Flood Insurance Coverage by Jurisdiction
- Updated text associated with Table 6 (Flood Insurance Coverage Assessment)
- Updated the number of repetitive loss properties for Unincorporated Charleston County
- Updated Table 8: Outreach Projects to include new outreach projects from the past year as well as upcoming outreach projects planned for 2022-2023.
- Updated Table 9: Coverage Improvement Plan Implementation Projects
- Updated Table 10: Direct Contact Offering Flood Protection Assistance and Promoting Flood Insurance
- (A.4) Updated the Participation Table for jurisdictions
- (A.6) Previous Yearly Meeting Minutes 2021-2022: Added the meeting minutes for this year's meetings.
- CRHMP Summary of Changes 2022 (A.7): Added the summary of changes for this plan.
- (A.9) Complete Hazard Histories: Updated hazard histories for each hazard.

Eric Lutz  
Director of Facilities



# **City of Folly Beach**

Date: September 13<sup>th</sup>, 2022

RE: City Sponsored Recreational Providers

Mayor/Council,

One of the original job duties of the Community Coordinator position was to research, approve, and manage third party recreational providers for Folly. Since roughly 2018 the services provided have been soccer, tennis, and basketball camps/clinics and community yoga. Normally, 2022 programming would have been awarded at the beginning of the year. However, the approval for each of the services was extended until May 1, 2022, due to staffing changes. We recently granted all current operators a second extension until November 26, 2022. The goal is to use this time to review current programming, feedback from the 2021 recreation survey, and existing policies/procedures so that we can award 2023 programming shortly after the new year. 2023 providers would be approved through April of 2024 to align the award of recreational offerings with the award of franchise and non-franchise commercial operations each year.

## Current Status:

Yoga: Tues. and Thurs. 10am-11am, FRP. 10 per class, 9 residents 1 James Island. Also has availability of 2 locations on beach

Tennis: No activity since April 2022. Minimal usage

Basketball: No activity since February 2021

Soccer: sat. 8a-12p, FRP. 48 attendees, 21 are residents

## Results of 2021 Recreation Survey

Primary results of this survey analysis depicted recreational activities based on water activity—kayaking, boating, fishing, swimming; additional activities were biking, walking, and dog walking. These are typical activities in a ‘vacation’ related beach community, with usage primarily by visitors not residents.

## Policy/Programming Issues:

Community or residential programming usage by ‘programmed’ sport are listed:

Pickleball 52%

Yoga 22%

Tennis 13%

Basketball 6%

Soccer 5% \*Preferred Numbers predicted low because survey was not directed at youth, however registration listings are available



Staff recommendation for continued City-offered programming:

Basketball camps—these can be arranged as specific events (only 2x a year) and we can block court usage during those specified times. This will allow the camps to continue without disrupting other sports during the year.

Yoga—same schedule as current. The City does not compensate these providers, in return we propose to allow them to charge users. Only in the FRP.

Soccer—continue as current with spring and fall camps. Allow fees as current with free use of FRP. This retains service for residents.

Staff would also recommend a written contract or agreement with terms and conditions specified, requiring business licenses and Certificate of Liability insurance naming City as additional insured, releasing City from liability.

Lacey Deeds  
Community Coordinator



# **City of Folly Beach**

Date: September 13<sup>th</sup>, 2022

RE: Tennis and Pickleball Reservations

Mayor/Council,

Staff has conducted a review of Court Reserve usage and the frequency of reservations for each current option (tennis, pickleball, City Recreation). A summary is attached.

In 2021, tennis reservations were 2.95 percent of usage outside of City reserved times. Year to date in 2022, tennis reservations are 0.18 percent of usage outside City reserved times.

In 2021, pickleball reservations were 14.81 percent of usage outside City reserved times. In 2022, pickleball reservations were 19.05 percent of usage outside City reserved times.

All time blocks were removed for data reports.

The Court Reserve app was originally put into place to balance the requests of tennis players and pickleball players. Although the program has added some structure to the use of the courts, there remains no capacity to actively monitor the courts. Reservations have been made for one sport and used for another, reservations have been made and not used, coordinated reservations have been made within groups, etc. Because of these ongoing issues combined with the low documented percentage of tennis reservations and the lack of onsite monitoring, my recommendation is the City return to first- come first- serve use of the courts (outside of any City sponsored recreation times), return the City owned storage facility to City use, and allow players to furnish their personal equipment. This would mean that continued use of the basketball court for other uses would need to be reviewed. First come first serve would allow any user to use the courts for the sport of their choice. The only alternative to fully manage the use of the courts is to dedicate an attendant who can monitor and enforce reservation times.

Lacey Deeds  
Community Coordinator

Start Date: 1/1/2021; End Date: 12/31/2021; Reservation Types: Tennis Reservation; Event Categories: ALL; Court Types: ALL; Courts: ALL; Computed by Utilized Minutes

|                     | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday | Total |
|---------------------|--------|---------|-----------|----------|--------|----------|--------|-------|
| 8:00 AM - 9:00 AM   | 12.76% | 0%      | 13.11%    | 0%       | 12.86% | 12.59%   | 0.96%  | 7.47% |
| 9:00 AM - 10:00 AM  | 12.76% | 0%      | 13.11%    | 0.17%    | 12.55% | 12.76%   | 3.5%   | 7.88% |
| 10:00 AM - 11:00 AM | 4.63%  | 0.17%   | 0.17%     | 0.35%    | 0.43%  | 5.33%    | 3.67%  | 2.11% |
| 11:00 AM - 12:00 PM | 2.53%  | 0.17%   | 0.17%     | 0.44%    | 0.26%  | 4.46%    | 2.01%  | 1.43% |
| 12:00 PM - 1:00 PM  | 1.57%  | 0.17%   | 0.17%     | 0.44%    | 0.17%  | 1.4%     | 1.05%  | 0.71% |
| 1:00 PM - 2:00 PM   | 0.35%  | 0%      | 0%        | 0.17%    | 0%     | 0.35%    | 0.7%   | 0.22% |
| 2:00 PM - 3:00 PM   | 12.59% | 0%      | 13.11%    | 0.17%    | 12.55% | 0.87%    | 0.52%  | 5.74% |
| 3:00 PM - 4:00 PM   | 12.59% | 0.17%   | 13.11%    | 0.44%    | 13.04% | 0.7%     | 0.44%  | 5.78% |
| 4:00 PM - 5:00 PM   | 0.87%  | 1.66%   | 3.41%     | 2.01%    | 1.72%  | 0.35%    | 0.25%  | 1.47% |
| 5:00 PM - 6:00 PM   | 1.31%  | 1.4%    | 1.66%     | 1.05%    | 0.43%  | 0.52%    | 0.87%  | 1.03% |
| 6:00 PM - 7:00 PM   | 1.14%  | 1.84%   | 0.79%     | 1.4%     | 0.17%  | 0.44%    | 0.25%  | 0.66% |
| 7:00 PM - 8:00 PM   | 0.7%   | 1.4%    | 0.26%     | 1.75%    | 0.17%  | 0.09%    | 0.25%  | 0.66% |
| Total               | 5.32%  | 0.58%   | 4.92%     | 0.7%     | 4.6%   | 3.32%    | 1.21%  | 2.95% |

Tennis 2021

no block

Start Date: 1/1/2021; End Date: 12/31/2021; Reservation Types: Pickleball Reservation; Event Categories: All; Court Types: All; Courts: Pickleball Court #1 Basketball Court (programming & pickleball reservations only); Pickleball Court

|                     | Monday  | Tuesday | Wednesday | Thursday | Friday  | Saturday | Sunday | Total   |
|---------------------|---------|---------|-----------|----------|---------|----------|--------|---------|
| 8:00 AM - 9:00 AM   | 75 %    | 3.85 %  | 76.92 %   | 4.33 %   | 75.47 % | 74.04 %  | 6.25 % | 45.12 % |
| 9:00 AM - 10:00 AM  | 73.08 % | 4.81 %  | 75 %      | 3.17 %   | 75.47 % | 73.08 %  | 4.33 % | 44.18 % |
| 10:00 AM - 11:00 AM | 0 %     | 1.92 %  | 2.88 %    | 0.96 %   | 1.89 %  | 5.77 %   | 2.88 % | 2.33 %  |
| 11:00 AM - 12:00 PM | 1.44 %  | 1.92 %  | 0.96 %    | 2.88 %   | 0.94 %  | 5.77 %   | 4.81 % | 2.67 %  |
| 12:00 PM - 1:00 PM  | 1.92 %  | 1.44 %  | 0 %       | 1.92 %   | 0.47 %  | 0 %      | 0 %    | 0.82 %  |
| 1:00 PM - 2:00 PM   | 0.48 %  | 2.4 %   | 0.96 %    | 1.92 %   | 2.86 %  | 0 %      | 1.44 % | 1.37 %  |
| 2:00 PM - 3:00 PM   | 75 %    | 1.92 %  | 76.92 %   | 3.85 %   | 75.47 % | 0 %      | 3.37 % | 33.73 % |
| 3:00 PM - 4:00 PM   | 73.08 % | 4.33 %  | 75 %      | 2.4 %    | 75.47 % | 2.4 %    | 1.44 % | 33.43 % |
| 4:00 PM - 5:00 PM   | 1.44 %  | 8.17 %  | 5.77 %    | 6.25 %   | 4.77 %  | 0.96 %   | 1.44 % | 4.11 %  |
| 5:00 PM - 6:00 PM   | 1.92 %  | 4.81 %  | 2.4 %     | 4.81 %   | 0.94 %  | 1.92 %   | 0.96 % | 2.54 %  |
| 6:00 PM - 7:00 PM   | 0.96 %  | 19.23 % | 0.48 %    | 12.02 %  | 0 %     | 1.44 %   | 0 %    | 4.88 %  |
| 7:00 PM - 8:00 PM   | 0.48 %  | 11.54 % | 0 %       | 5.29 %   | 0 %     | 0 %      | 0 %    | 2.47 %  |
| Total               | 25.4 %  | 3.53 %  | 26.44 %   | 4.17 %   | 26.1 %  | 13.78 %  | 2.24 % | 14.81 % |

Pball  
goal  
no block

Start Date: 1/1/2022; End Date: 8/12/2022; Reservation Types: Pickleball Reservation; Event Categories: All; Court Types: All; Courts: Pickleball Court #1 Basketball Court (programming & pickleball reservations only), Pickleball Court #2

|                     | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday | Total  |
|---------------------|--------|---------|-----------|----------|--------|----------|--------|--------|
| 8:00 AM - 9:00 AM   | 78.12% | 7.03%   | 76.56%    | 7.81%    | 82.03% | 82.81%   | 17.57% | 50.33% |
| 9:00 AM - 10:00 AM  | 82.03% | 10.16%  | 75%       | 8.59%    | 82.81% | 84.38%   | 12.5%  | 50.73% |
| 10:00 AM - 11:00 AM | 6.23%  | 7.81%   | 7.81%     | 7.81%    | 7.03%  | 18.75%   | 14.06% | 9.89%  |
| 11:00 AM - 12:00 PM | 3.12%  | 7.03%   | 3.12%     | 3.12%    | 0%     | 17.19%   | 9.38%  | 6.14%  |
| 12:00 PM - 1:00 PM  | 3.91%  | 3.91%   | 0%        | 0.78%    | 2.34%  | 11.72%   | 2.34%  | 4.91%  |
| 1:00 PM - 2:00 PM   | 3.12%  | 3.12%   | 1.56%     | 3.12%    | 5.47%  | 8.59%    | 9.38%  | 4.91%  |
| 2:00 PM - 3:00 PM   | 78.12% | 21.09%  | 79.69%    | 17.19%   | 84.38% | 9.38%    | 5.47%  | 40.4%  |
| 3:00 PM - 4:00 PM   | 3.91%  | 12.5%   | 4.69%     | 7.81%    | 8.59%  | 2.34%    | 0%     | 6.7%   |
| 4:00 PM - 5:00 PM   | 5.47%  | 14.06%  | 1.56%     | 10.94%   | 11.72% | 3.12%    | 3.12%  | 6.23%  |
| 5:00 PM - 6:00 PM   | 4.69%  | 10.94%  | 3.12%     | 10.94%   | 4.69%  | 1.56%    | 0%     | 5.8%   |
| 6:00 PM - 7:00 PM   | 1.56%  | 0%      | 1.56%     | 2.34%    | 0%     | 3.12%    | 0%     | 1%     |
| 7:00 PM - 8:00 PM   | 29.04% | 9.76%   | 27.86%    | 7.81%    | 31.12% | 20.18%   | 7.55%  | 19.05% |
| Total               |        |         |           |          |        |          |        |        |

Pball  
2022  
no block

# City Council Meeting 7:00 PM Tuesday August 9, 2022

Council Chambers 21 Center Street  
Folly Beach, SC 29439

## 1. CALL TO ORDER/ROLL CALL

## 2. INVOCATION & PLEDGE OF ALLEGIANCE

Councilmember Farley led the invocation.

## 3. MAYOR'S COMMENTS

Mayor Goodwin stated he saw a quote that reminded him of the STR conversation that is happening. Being fast is great but being accurate can be deadly. He explained that this could be a fast conversation however, they want to be accurate and, on the mark, when making a decision on STRs.

## 4. STAFF REPORTS

## 5. APPROVAL OF AGENDA

Councilmember Rich moved to approve. Councilmember Grooms seconded.  
Councilmember Rich motioned to postpone Ordinance 27-22. Councilmember Grooms seconded.  
Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes;  
Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

**All in Favor. Motion Passes.**

## 6. APPROVAL OF MINUTES

Councilmember Rich moved to approve. Councilmember Farley seconded.  
Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes;  
Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

**All in Favor. Motion Passes.**

## 7. PERSONAL APPEARANCES

- a. Dr. Richard Beck, Short Term Rentals and Folly's Future. Dr. Beck stated that he is flabbergasted at the amount of work being done to address the uncontrollable STR situation. He said that council has a responsibility to be visionaries since their decision impacts the future of Folly Beach. Dr. Beck said that having a well-protected signal family zoning designation has tremendous value to the homes within that zone. Dr. Beck asked council to pause, and rethink the vision and the urgency of the vision. He reminded that council in the 80s left most of the island signal family for this reason. He explained that the goal was for small buildings, slow growth, with an emphasis on owner occupation. Dr. Beck urged council not to bring Folly back to the brink of collapse. He told council that it is their responsibility to look past their own bias they may have with this situation and do what's right for Folly Beach.
- b. Kelly Travers with FAB- Folly Beach's 50th Anniversary. Ms. Travers said that the date will be Friday September 22<sup>nd</sup> – 30<sup>th</sup> 2023. She outlined the proposed schedule for the nine-day festival. Ms. Travers stated that FAB has in the past and will be asking for ATax money.
- c. Ms. Travers with FAB-Mermaids & Mateys. Ms. Travers said that the schedule is September 23<sup>rd</sup>

& 24<sup>th</sup>. She outlined the schedule and pointed out tickets and detailed information can be found at visit folly dot com. Ms. Travers discussed the road closures for this event. She explained that Center Street will be closed on Sep. 24<sup>th</sup> from 7a-6p.

- d. Tara Anderson with the Exchange Club, Pickleball Tournament. Ms. Anderson stated that the Exchange Club would like to host a pickleball tournament as a fundraiser. She said the date will be November 4<sup>th</sup>-6<sup>th</sup>.

Mayor Goodwin asked how they will be handling parking.

Ms. Anderson stated that they will utilize legal parking options, and encourage ride-sharing.

Councilmember Grooms said that this is a timed tournament and that not everyone shows up at the same time.

Councilmember Farley moved for approval. Councilmember Barker seconded.

Councilmember Houghton asked when will they be handing out the awards, because that could add a lot of people hanging around and congestion in that location.

Councilmember Rich stated that he was approached about hosting an after party one of the nights and that is where the awards will be given out.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

**All in Favor. Motion Passes.**

- e. Joey Gorman with Soccer Shots, Fall Request. Mr. Gorman stated that Soccer Shots is asking for a 10 week soccer program in the Folly River Park, every Saturday.

Councilmember Grooms moved for approval. Councilmember Houghton seconded.

Councilmember Rich stated that he is in support of recreational activities for children however, the recently passed ordinance will not allow them to have commercial activities in the Folly River Park.

Councilmember Houghton asked if Mr. Gorman could expand the benefits Folly locals receive.

Mr. Gorman stated that they have served 21 Folly residents that fit in the age group of 4-8yo. He explained that the previous Community Coordinator and Soccer Shots worked together to market the program and offer a discounted price for locals.

Councilmember Grooms said that he was a member of the Parks and Rec Board when Soccer Shots first approached. He added that the board felt that this was a great way to promote fitness and healthy living.

Councilmember Rich asked if there was another location this program could take place.

Mayor Goodwin offered the 3<sup>rd</sup> Street Parking Lot. He said they would shut down the lot from 9am-12pm.

Councilmember Barker asked if there are car bumpers in the lot that might get in the way.

Mayor Goodwin stated that the area is open.

Mayor Goodwin moved to amend the location to the 3<sup>rd</sup> Street Parking Lot. Councilmember Rich seconded.

Councilmember Barker, Yes; Councilmember Farley, No; Councilmember Grooms, No; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, No.

**Motion Fails, 3-5.**

### **Soccer Shots in Folly River Park.**

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, No; Mayor Goodwin, Yes.

### **Motion Passes, 5-2.**

- f. Kim Morganello, Community Center Rain Garden Proposal. Ms. Morganello stated this is a course offered through Clemson University. She explained that the students will come and lay out the footprint and install the rain garden in one day. Ms. Morganello stated that the cost would be covered in their registration fee. She proposed a seconded one behind the Community Center that will be out of site.

Councilmember Rich moved for approval. Councilmember Grooms seconded.

Councilmember Houghton asked what are the needs of the city.

Ms. Morganello said the use of a small excavator for site prep and the care for the vegetation afterwards.

Councilmember Grooms asked what are the chances of presenting this to residents for home projects.

Ms. Morganello said that she would like to come up with a plan and work towards that.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

### **All in Favor. Motion Passes.**

- g. Mike and Wendy Ezelle adding tents and coolers to Folly Beach Chair Company. Mr. Ezell asked council to add the services of tents, coolers, cornhole, and boogie boards. He explained that he has a pressing event to fulfill a canopy order for the Lowcountry Orphan Relief event on the beach.

Councilmember Rich moved to approve the ask for the Lowcountry Orphan Relief event only.

Councilmember Barker seconded.

Councilmember Rich stated he is in support of the event responsibilities however the other parts of the ask will need to come back for further discussion.

Mayor Goodwin asked why can't they use umbrellas and chairs rather than canopies.

Mr. Ezell stated that the event is on a very busy weekend, and they are already booked with chairs and umbrellas.

Councilmember Houghton asked about the history of this topic.

Mr. Pope stated that the Ordinance states that franchise owners cannot expand their product without approval from Council.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, No.

### **Motion Passes, 6-1.**

## **8. CITIZENS' COMMENTS**

Hank Weeds, 122 East Ashley. Mr. Weeds stated his opposition to Ordinance 011-22.

Andy Weather, East Ashley. Ms. Weather stated that homeowners need to label the light switches and educate their renters about the effects that has on turtles.

Liz Waldrep, 119 E Cooper. She stated her opposition to Ordinance 011-22.

Lisa Hurbert, 114 E Ashley. She stated her opposition to Ordinance 011-22.

Mr. Pope read Carol Wolff's comment and will be entered into the record.



## 9. COMMISSION, BOARD, COMMITTEE REPORTS

- a. Jenna Stephens, Zoning Administrator. Ms. Stephens reviewed the Planning Commission recommendations for Ordinance 011-22. She explained that they added two amendments. The first amendment is to remove the increase of the setbacks. The second amendment is to exclude historic buildings from the square foot limitations on full size lots. Ms. Stephens reviewed the current ordinance, proposed ordinance, and the recommendations of the commission.  
Mayor Goodwin asked about the setbacks in the Planning Commission recommendation for a half of a lot .  
Ms. Stephens stated that the setbacks will be 5' for all uses.  
Councilmember Houghton asked about the historic relevance of the 50-year mark.  
Mayor Goodwin stated that it was just picked arbitrarily.  
Councilmember Barker stated that there needs to be a level of historic preservation that is steeped in Folly's history.

## 10. OLD BUSINESS

- a. **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.  
Councilmember Rich moved for approval. Councilmember Farley seconded.  
Councilmember Rich moved to make the setbacks to the 14.3 formula. Councilmember Farley seconded.  
Councilmember Rich said that this will affect only undersized lots and not expand this to every lot like Planning Commission recommended.  
Mr. Pope asked if this would be a scalable setback for all uses.  
Councilmember Rich stated that this is correct. Just as it is referenced in the information given by Ms. Stephens.  
Councilmember Barker said that this would not affect the three individuals that have shown the most concern equally. He explained that there will only be one that will benefit.  
Councilmember Rich said that if it is a regular sized lot in width they need those setbacks in place.

### Amendment

Councilmember Barker, No; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

**Motion Passes, 6-1.**

### Ordinance 011-22.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, Yes.

**Motion Passes, 6-1.**

- b. **ORDINANCE 024-22:** An Ordinance Amending the Folly Beach Code of Ordinances Section 72.24 (Timed Parking on Center Street) By Removing the Exemption for Residential Parking Passes in Timed Parking Areas.

Councilmember Barker moved for approval. Councilmember Grooms seconded.

Councilmember Farley stated that this was not a council driven decision but rather a demand from the State.

Mayor Goodwin stated that is correct.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, No; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, Yes.

**Motion Passes, 5-2.**

- c. **ORDINANCE 027-22:** An Ordinance Amending the Folly Beach Code of Ordinances Chapter 117 (Short Term Rentals) By Changing the Requirements for Business Licenses and Rental Registration Permits for Short Term Rentals, Amending the Violations Subject to Rental Strikes, And Lowering the Number of Strikes Required Prior To The Initiation of License Revocation. **POSTPONED**

## 11. NEW BUSINESS

- a. **ORDINANCE 029-22:** An Ordinance Amending the Folly Beach Code of Ordinances Chapter 151 (Protection of Loggerhead Sea Turtles) By Creating Section 151.50 (Penalties and Enforcement) To Establish a Civil Penalty for Violations of Turtle Lighting Requirements.

Councilmember Grooms moved for approval. Councilmember Barker seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, Yes.

**Motion Passes, 5-1.**

- b. **ORDINANCE 030-22:** An Ordinance Amending the Folly Beach Code of Ordinances Chapter 131 (Noise), Section 131.35 (Penalties and Enforcement) to Change the Penalty for Violations of the Noise Ordinance to a Civil Penalty.

Councilmember Farley moved for approval. Councilmember Grooms seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

**All in Favor. Motion Passes.**

- c. **RESOLUTION 32-22:** A Resolution Authorizing the Purchase of Three (3) Ritc Hard Coolers to Replace Broken Coolers Paid from The Council Discretionary Fund.

Councilmember Farley moved for approval. Councilmember Grooms seconded.

Councilmember Houghton stated that after witnessing the state of coolers used by the City of Folly Beach staff for different situations it was time for a replacement.

Councilmember Rich stated that departments have a budget and specifically a supply line item.

Councilmember Houghton said that the discretionary budget is used for unseen situations.

Councilmember Farley stated that with being this early in the budget year it might be a good idea to hang on to this money just in case.

Councilmember Barker, No; Councilmember Farley, No; Councilmember Grooms, No;  
Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, No.

#### **Motion Fails, 2-4.**

- d. **RESOLUTION 33-22:** A Resolution Authorizing the Purchase of City Logo Pins  
Paid from The Council Discretionary Fund.

Councilmember Houghton moved for approval. Councilmember Farley seconded.

Councilmember Houghton said that she remembers when she first moved to the island that she received a pin. She explained that this meant so much to her and gave her a sense of community.

Councilmember Rich stated that he was wanting to procure logoed hats for giveaways. He added that this shows that each councilmember is wanting to choose their own path on how to show their appreciation.

Councilmember Rich motioned to amend the Resolution to designate the allowed \$1200 to be split evenly among the council members to be spent how they see fit.

Councilmember Barker seconded.

#### **Amendment**

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes;  
Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

#### **All In Favor, Amendment Passes.**

Resolution 33-22.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, No;  
Councilmember Houghton, No; Councilmember Ellis, No; Councilmember Rich, Yes.

#### **Motion Passes, 4-3.**

## **12. COUNCIL COMMENTS**

- a. Councilmember Grooms stated that he attended the South Carolina Municipal Association Annual Conference. He said it was a great networking opportunity, meeting other elected officials from around the state and area.
- b. Councilmember Farley stated that school is starting back up and to watch for kids and buses in the morning and afternoon.
- c. Councilmember Houghton stated that planning for Halloween is underway. She said on October 30<sup>th</sup> there will be a costume Beach Sweep followed by the house decoration contest. October 31<sup>st</sup> will be the Halloween Carnival and Witches Dance.
- d. Councilmember Barker wished everyone a Happy Labor Day.

- e. Mayor Goodwin said that the concert series is back. He said the first concert will be the Vistas playing September 29<sup>th</sup> at 6:00 PM.

### **13. ADJOURNMENT**

## **City Council Special Meeting 5:00 PM**

**Saturday August 27, 2022**

City Hall  
21 Center Street  
2nd Floor Council Chambers  
Folly Beach, SC 29439

1. **CALL TO ORDER/ROLL CALL**

Councilmember Houghton was not present.

2. **CITIZEN COMMENTS**

3. **PERSONAL APPEARANCE**

- a. Hank Weed, Chico Feo. Mr. Weed stated that he is requesting a road closure for a memorial service being held on August 8<sup>th</sup>, 2022 from 12:00pm to 6:00pm. He explained he has the barricades ready to go and security as well.

Councilmember Barker moved for approval. Councilmember Rich seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Ellis, Yes; Councilmember Rich, No; Mayor Goodwin, Yes.

**All in Favor. Motion Passes.**

4. **NEW BUSINESS**

5. **ADJOURNMENT**

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

- Event on private property (hosted and attended by homeowner or business owner)

- 

**Main Contact**

Clara Haught

**Owner Name**

Maria Camila Alzate

**Cell Phone**

(843) 816-0344

**Email**

[clara@whitepearlventures.com](mailto:clara@whitepearlventures.com)

**Alternate Contact**

Bonnie Branch

**Alternate Contact Cell Phone**

(843) 421-8544

**Date of Event**

12/03/2022

**Event Location**

64 W 9th St Ext  
United States  
[Map It](#)

**Beginning Time (including setup)**

08:00 am

**End Time (including breakdown)**

08:00 pm

**Estimated Number of Attendees**

150

**Event Name**

Flippers and Fur Fest

**Purpose of Event**

Fundraiser

**Description of Event**

Regatta Inn's Second Annual Flippers and Fur Fest - 100% of the proceeds are split between Folly Beach Turtle Watch Program and Pet Helpers. Last year we raised \$3k and are hoping to raise even more this year! The day consists of a yoga class, cornhole tournament, silent auction, lowcountry boil and live music, as well as both organizations coming out for teaching moments, etc. This year, we are hoping to have local retail vendors on site to sell their products, and commit a percentage of their sales to donate additional \$ to the causes. Ideally 10-15 vendors for just a few hours in the afternoon - from Folly Beach/James Island. I spoke to Wesley Graham who communicated I should submit this permit form first, and then get on the city council meeting agenda for the 13th to request a variance on our zoning for the afternoon - we are currently zoned Marine Commercial which prevents us from having the retail vendors usually. Just looking to raise some extra funds for two local causes that are near and dear to our hearts!

**Are you requesting road closures:**

- 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

☐ Forward

## Flippers and Fur Festival

We will treat the parking situation similarly to our weddings and other events that take place at Regatta. We have a limited number of spots on site for about 30-40 cars, and then the rest will park along 9th/Ashley (with tires off the street). We will encourage ride shares, such as Uber/Lyft, as well as utilizing golfcarts as many of the attendees are local to the island.

Last year, we also worked with Johnny at the marina and as such, they were okay with allowing the use of the marina parking lot as well. I have not discussed with them as of yet, but imagine they will be open to working with us again as it resulted in good business for The Ship Store.

These parking details and advisements will be included within the event promotion postings, as well as within the email the guests receive when they purchase tickets.

As for our neighbors; last year, we let them all know in advance and plan to do the same this year. The event is to take place strictly in the afternoon of Saturday the 3rd, so there will be no excess noise beyond the close of the event at 6pm. We've found it's the night time events/hours that are called about and have planned accordingly for the afternoon. Our point of contact for The Folly Beach Turtle Watch Program lives on our street as well and has been helpful regarding this aspect.

Let me know any additional questions!

Thank you,

Clara

**Regatta Inn by White Pearl Ventures**

[www.regattainnfollybeach.com](http://www.regattainnfollybeach.com)

[www.whitepearlventures.com](http://www.whitepearlventures.com)





# City of Folly Beach

Date: September 13<sup>th</sup>, 2022

Re: Status of Parks and Recreation Board

Mayor and Council,

The Parks and Recreation Committee began as a group of hands on volunteers responsible for park planning, construction, and maintenance as well as volunteer staffing of City events. Previous members of the Board donated time, professional expertise, and labor to develop the Folly River Park, Pirates Cove/Wave Watch Playgrounds, Shorebird/Muriel Edge Weathers Shadow Race Park. They also served as playground inspectors and procurement managers for improvements at City facilities. Other duties included long range planning and recreational programming. Over time, as the City hired dedicated staff members, the P&R Board has been transitioning to an advisory body and not a day to day operational group.

City landscaping, park inspections, and maintenance are now managed by the Facilities Department. Recreational programming, volunteer recruitment, and City events are now managed by the Community Coordinator. In late 2021, staff, the Council Liaison, and the Chair/Vice Chair of the committee met to begin a reorientation toward the mission of long term planning and recommendation and away from day to day operational involvement. This shift of focus was to kick off with and update to the Parks and Recreation Five Year Plan. Shortly after the Board began work on this project, both the former and then current staff liaison left the City.

Prior to restarting regular meetings of the Board, staff and the Council liaison will be meeting with the members to clearly define the shift in responsibilities. This includes proposing any necessary amendments to the mission of the Board, determining the needed frequency of regular meetings, and identifying the specific plans/projects that require the Board's recommendation and advice to Council.

Aaron Pope, AICP  
City Administrator



# CITY OF FOLLY BEACH

1<sup>st</sup> Reading: August 9<sup>th</sup>, 2022  
2<sup>nd</sup> Reading: September 13<sup>th</sup>, 2022

Introduced by: Mayor Goodwin  
Date: May 10<sup>th</sup>, 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<br/>F</i> | <i>RM<br/>F</i> | <i>DC</i>             | <i>IC</i> | <i>M<br/>C</i> | <i>CC</i> | <i>CN</i>      | <i>P<br/>D<br/>(I)</i> |                                 |
|--------------------------------------------------------------------------------------------------------|------------------------------------------|------------------------|-----------------|-----------------|-----------------------|-----------|----------------|-----------|----------------|------------------------|---------------------------------|
| <i>TABLE 164.01: TABLE OF ALLOWED USES</i>                                                             |                                          |                        |                 |                 |                       |           |                |           |                |                        |                                 |
| <i>P = Permitted    S = Special Exception    A = Allowed in PD District    Blank Cell = Prohibited</i> |                                          |                        |                 |                 |                       |           |                |           |                |                        |                                 |
| <i>Use<br/>Category</i>                                                                                | <i>Use Type</i>                          | <i>Zoning District</i> |                 |                 |                       |           |                |           |                |                        | <i>Additional<br/>Standards</i> |
|                                                                                                        |                                          | <i>Residential</i>     |                 |                 | <i>Nonresidential</i> |           |                |           |                | <i>P<br/>D<br/>(I)</i> |                                 |
|                                                                                                        |                                          | <i>RSF</i>             | <i>RT<br/>F</i> | <i>RM<br/>F</i> | <i>D<br/>C</i>        | <i>IC</i> | <i>M<br/>C</i> | <i>CC</i> | <i>C<br/>N</i> |                        |                                 |
| <b>RESIDENTIAL USE CLASSIFICATION</b>                                                                  |                                          |                        |                 |                 |                       |           |                |           |                |                        |                                 |
| 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)**

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

**DOWNTOWN COMMERCIAL (DC)**

|                                 |                                                         |                              |                                                                  |    |                                                |                                                                                                                                                               |    |                                                                                           |
|---------------------------------|---------------------------------------------------------|------------------------------|------------------------------------------------------------------|----|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-------------------------------------------------------------------------------------------|
| Single- and two- family<br>uses | 1/10,500<br>(up to 4<br>per acre<br>max.)               | 50% of<br>high<br>ground (3) | 10,500                                                           | 35 | 10 ( <del>5</del> )                            | <del>5</del> -14.3%<br>of lot<br>width (8)                                                                                                                    | 10 | 34' above the top<br>of the first living<br>floor surface (4)                             |
| <del>Multi-family uses</del>    | <del>1/3,500<br/>(up to 12<br/>per acre<br/>max.)</del> |                              | <del>3,500 per<br/>multi-<br/>family<br/>dwelling<br/>unit</del> |    | <del>None<br/>required<br/>(5)</del><br><br>10 | <del>None-<br/>required<br/>except<br/>when<br/>abutting<br/>RSE, RTE<br/>or RMF;<br/>then greater<br/>of 1/2-<br/>structure-<br/>height or<br/>15 feet</del> | 10 |                                                                                           |
| Outdoor retailers               |                                                         |                              | 2,625 per<br>outdoor<br>retailer                                 |    |                                                | 14.3% of lot width<br>(8)                                                                                                                                     |    |                                                                                           |
| All other uses                  | N/A                                                     |                              | 5,250                                                            |    |                                                |                                                                                                                                                               |    | 40' above the first<br>living floor<br>surface<br>centerline of the<br>nearest street (4) |

See § [163.05](#)

NOTES:

- (1) 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.
- (2) 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).
- (3) 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).
- (4) 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.**
- (5) New development fronting Center Street shall be built to the edge of the street right-of-way, to the maximum extent practicable.
- (6) There is no minimum lot size except where required by DHEC for on-site wastewater facilities.
- (7) There shall also be a setback of 25 feet from the OCRM critical line in the CN district.
- (8) **Side** Setbacks ~~in the RSF and RTE 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.
- (9) Max height shall not exceed height regulated in § [90.05](#).

***ADOPTED*** this 13<sup>th</sup> day of September, 2022, at Folly Beach, South Carolina.

**Ayes:**

**Nays:**

**Abstains:**

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**Municipal Clerk**

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**Tim Goodwin, Mayor**



# CITY OF FOLLY BEACH

1<sup>st</sup> Reading: June 28<sup>th</sup>, 2022  
2<sup>nd</sup> Reading: September 13<sup>th</sup>, 2022

Introduced by: Mayor Goodwin  
Date: June 28<sup>th</sup>, 2022

## ORDINANCE 027-22

### AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES CHAPTER 117 (SHORT TERM RENTALS) BY CHANGING THE REQUIREMENTS FOR BUSINESS LICENSES AND RENTAL REGISTRATION PERMITS FOR SHORT TERM RENTALS, AMENDING THE VIOLATIONS SUBJECT TO RENTAL STRIKES, AND LOWERING THE NUMBER OF STRIKES REQUIRED PRIOR TO THE INITIATION OF LICENSE REVOCATION.

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

**NOTE:** Deleted material struck through, new material shown in red,  
**NOTE:** Blue items reflect staff proposed amendments prior to second reading.

#### 117.01 PURPOSE, APPLICABILITY, AND DEFINITIONS.

(A) The purpose of this chapter is to regulate the use of residential units as short-term rentals to:

- (1) Protect the integrity of the eCity's neighborhoods and the quality of life of its citizens;
- (2) Establish a system to track the short-term rental inventory in the eCity;
- (3) To protect the health and safety of occupants of short-term rental units;
- (4) To ensure a level playing field for individuals in the short-term rental market; and
- (5) To protect the residential character of the residential districts of the eCity.

(B) The following definitions apply:

**DESTINATION CLUBS.** Destination or private vacation clubs ("destination clubs") are classified as private and/or exclusive membership organizations or commercial businesses primarily engaged in providing short-term overnight accommodations and related services for its club members with non-ownership interest who seek alternative options to standard vacation home rentals. Destination clubs typically own or lease properties from the owners on a long-term basis, provide those properties in a variety of locations to its members on a short-term basis, and model a membership access structure where its members purchase membership levels granting access to properties and personalized services. Properties offered

by destination clubs to a member for less than 30 days are considered **SHORT TERM RENTALS** whether the destination club is an owner of record or a lessee. All references to "owners" in this chapter apply to destination clubs.

**TIME SHARES.** "Vacation time sharing plans" as defined in South Carolina Code § 27-32-10(9) are not **SHORT-TERM RENTALS**. However, any "vacation time sharing lease plan" as defined in South Carolina Code § 27-32-10(8) that is less than three years is considered a **SHORT-TERM RENTAL**. "Vacation multiple ownership interests" as defined in South Carolina Code § 27-32-250(1) are not **SHORT-TERM RENTALS**.

**HOUSE EXCHANGE PROGRAMS** are the occasional occupancy of a residential occupancy assessed by Charleston County at a 4% property tax rate by someone other than the owner of the residence while the owner is temporarily absent from the residence, and no monetary compensation is paid to the owners for such occupancy. **HOUSE EXCHANGE PROGRAMS** are not **SHORT-TERM RENTALS**.

**RENTAL OCCUPANT.** Any person who, in exchange for compensation paid, occupies a dwelling unit for less than 30 days.

**SHORT TERM RENTALS.** Residential dwellings, or any portion thereof, rented for less than 30 days and used in a manner consistent with the residential character of the dwelling. Tourist accommodations, including hotels, motels, inns, and bed and breakfasts, are not considered **SHORT TERM RENTALS**.

## **117.02 LICENSE, REGISTRATION, AND TAX REQUIREMENTS.**

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

(A) *Business license.* A ~~B~~business licenses must be **obtained and** renewed annually by the submittal of a form and fee as established by the ~~e~~City **for each residential dwelling unit or portion thereof offered as a short-term rental.**

(1) No business license shall be issued for the rental of a residential unit which is planned or under construction until a Certificate of Occupancy is issued for the unit.

(2) A business license shall only be issued to owners of a residential unit. Lessees of residential dwelling units may not apply for a business license to rent the unit.

(3) A designated agent may apply for a short-term rental business license on behalf of an owner. An application for a business license submitted by a designated agent must provide the correct taxpayer identification and contact information for the owner including name, address, phone number, email, and any other information as required on the application form.



~~The business license account number and the maximum occupancy for each short term rental must be prominently displayed in the rental unit, as well as in any advertisement for the rental of the unit, excluding signs posted on the rental property.~~

~~(B) Rental registration permit. Each new short term rental license application must be accompanied by an application form provided by the city and must be renewed on an annual basis. A rental registration permit must be obtained and renewed annually by the submittal of a form and fee as established by the City for each residential dwelling unit or portion thereof offered as a short-term rental.~~

(1) *Annual registration.* The rental registration permit application shall be completed prior to June 1 of each year.

(a) No new business license to operate a short-term rental shall be issued prior to the approval of a rental registration permit.

(b) Renewals of valid prior year business licenses shall be allowed prior to the approval of a rental registration permit. Failure to complete a rental registration permit application within 30 days of the business license renewal date shall be grounds for revocation of the license.

(2) *Annual fee.* The fee for a rental registration permit shall be set by City Council and shall be reviewed periodically.

(3) A rental registration permit shall only be issued to owners of a residential unit. Lessees of a residential dwelling unit may not apply for a rental registration permit.

(4) A designated agent may apply for a rental registration permit on behalf of an owner. An application for a rental registration permit submitted by a designated agent must provide the correct taxpayer identification and contact information for the owner including name, address, phone number, email, and any other information as required on the application form.

~~(25) Change in registered information.~~ The owner, or designated agent, of a rental dwelling already registered with the eCity shall re-register within 60 days after any change occurs in the registration information. ~~There shall be no additional fee upon change of registration information except that~~ A new owner of a registered dwelling, upon application for a new business license, shall re-register the dwelling and pay the appropriate fee within 60 days of assuming ownership.

~~(3-6) Information required.~~ Application for a rental registration permit shall contain the following information:

(a) The street address of the rental dwelling unit;

(b) The ~~number of rental dwelling units~~ unit number if applicable;

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

(d) The number of parking spaces provided on site ~~for each rental dwelling~~ as well as a site plan showing the location of all onsite parking spaces. One onsite parking space must be

provided for each bedroom being rented. This requirement shall not apply to:

(i) New and renewed permits issued to residential units located in a multifamily housing development.

(ii) New and renewed permits issued to residential units approved by the City for resident only parking signs in the right of way.

(iii) Renewed permits issued to residential units with a valid business license and rental registration permit September 13<sup>th</sup>, 2022. Rental registration permits for such properties may be renewed without the required parking until such time as the ownership of the property changes.

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

(f) The type of wastewater system (septic or sewer). If the property is serviced by a septic system, the owner must certify that the system is protected from parking.

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

(h) The physical address and email address where the owner and/or local agent will accept notices and orders from the eCity and acknowledgement that service by U.S. Mail and/or transmission to the provided email addresses will constitute acceptable service of any notice, notice of violation, ordinance summons, or ticket;

(i) Certification that the owner has read applicable eCity ordinances, including, but not limited to, regulations regarding noise, trash, parking, alcohol on the beach, animals, litter, surfing, dune protection, sea turtles, smoking on the beach, requirements for special events, maximum occupancy, and golf carts;

(j) Certification that the owner has prominently posted within the property a copy of the parking diagram provided to the City for the property as well as a summary of applicable eCity ordinances, including, but not limited to, regulations regarding noise, trash, parking, alcohol on the beach, animals, litter, surfing, dune protection, sea turtles, smoking on the beach, requirements for special events, maximum occupancy, and golf carts is prominently posted within the residential dwelling unit to be rented;

(k) Certification that tenants listed on any rental agreement shall receive a copy of the parking diagram provided to the City for the property as well as a summary of applicable eCity ordinances, including, but not limited to, regulations regarding noise, trash, parking, alcohol on the beach, animals, litter, surfing, dune protection, sea turtles, smoking on the beach, requirements for special events, maximum occupancy, and golf carts is prominently posted within the residential dwelling unit to be rented. The summary of applicable ordinances shall be in a form determined by the cCity, and made available to all owners of rental property;

(l) A valid Charleston County Accommodations tax account number along with receipts for payment of prior year taxes due. Proof of payment from the owner or designated agent for payment of local, County, and State taxes due on short term rental accommodations.

(4 m) Certification that the owner is aware that, upon receiving four or more notifications that occupants or guests have received a written warning or citation for noise, trash, turtle lighting, requirements for special events, or exceeding maximum occupancy during any rolling six-month period, penalties may be assessed, including business license revocation or non-renewal. short term rental licensees shall be subject to strikes issued against the license when the

owner, agent, occupant, or guest has been convicted of any violation of the requirements of this Chapter or other City ordinances related to use of the property as a short-term rental, and that three strikes during any rolling twelve-month period can result in suspension, revocation, or non-renewal of the license.

(n) Certification by the owner verifying the presence of smoke alarms, carbon monoxide monitors, fire extinguishers, the number of bedrooms, the number of parking spaces, the provision of trash receptacles, the posting of address and house numbers, and posting of rules and regulations, and, if present, that sprinklers are operational.

(o) Documentation in the form of Charleston County property records or a certificate of occupancy confirming the number of bedrooms offered for rent.

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

~~(5-7)~~ *Designation of local agent.* The owner of a rental dwelling shall designate a responsible agent who shall be responsible for operating the rental dwelling in compliance with the law. Official notices may be served on the responsible local agent and/or the owner, and any notice served on the agent shall be deemed to have been served upon the owner of record.

(a) Nothing shall prevent the owner of rental property from designating himself or herself as the agent.

(b) Non owner agents must be licensed by the State of South Carolina as an attorney, real estate agent, broker in charge, or property manager. Employees under the direct supervision of attorneys, real estate agents, brokers in charge, or property managers licensed by the State of South Carolina may be designated as local agents.

~~(b c)~~ The agent shall be required to be able to physically respond to notification from the City the site within 30 60 minutes in case of emergency or need by the eCity for entry into the property.

~~(68)~~ *More than one owner or ownership by entity.* Where more than one person has an ownership interest in a short-term rental, the required information shall be provided for each owner. In those cases, in which the owner is not a person, the information required for the register shall be provided for the organization owning the rental dwelling, and for the president, general manager, or other chief executive officer of the organization.

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

(D) *Violations and penalties.*

(1) *Violations.* ~~It shall be a violation of this chapter to~~ Violations of this Chapter include but are not limited to:

(a) ~~Operate~~ Operating a short-term rental without complying with the requirements of this eChapter and the eCity code of ordinances;

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

(c) Operating a short-term rental without a business license, registration permit, accommodations tax account;

(d) Advertising a short-term rental without listing the business license number and rental registration permit number;

(e) Operating a short-term rental in such a manner that individual rooms are rented at the same time under separate rental contracts;

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

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

(~~e~~ h) ~~Advertise~~ **Advertising** more short term rental units on a property than have been permitted pursuant to this ~~e~~Chapter. **For example, advertising a single-family dwelling as accommodating multiple short term rentals is not permitted;**

(~~f~~ i) ~~Advertise~~ **Advertising** a property as a short-term rental or “event house” for events or parties with more than ~~49~~ **25** people in attendance; ~~or~~

(j) Offering a short-term rental in any zoning district for fewer than two consecutive nights;

(k) Failure to post the business license number, rental registration permit number, allowable overnight occupancy, and City approved beach rules prominently within a rental unit;

(l) Failure to obtain a rental registration permit within 30 days of renewing a business license, failure to provide accurate information for the registration of rental dwellings, failure to provide information required by the application form;

(m) Failure to complete a new rental registration permit application within 60 days of a change in ownership;

(n) Failure of the designated agent listed on the rental registration permit to respond within 60 minutes of notification from the City of an emergency.

(o) Failure to maintain, and provide to the City, any and all information required in 117.04.A.

(p) Failure to provide tenants listed on any rental agreement information as required under 117.04.B.

(q) Failure to inspect and repair a failed septic system as required under Section 55.07.

(r) Operating a business out of a short-term rental or otherwise using a short-term rental for non-residential use.

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

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

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

iii. All strikes issued prior to the date of this ordinance, shall not be counted for the purposes of license revocation.

## (2) Penalties.

—(a)—No permit may be issued or approved unless the requirements of this chapter, or any ordinance adopted pursuant to it, are complied with. A violation of this chapter ~~can~~ ~~may~~ result in the following penalties:

(a) ~~a civil penalty pursuant to § 110.99~~, Any person violating any provision of this Chapter shall be deemed guilty of a civil offense and shall be subject to a fine of up to \$500 upon conviction. Each day of violation shall be considered a separate offense. Punishment for violations shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for in this Chapter.

(b) Denial, revocation, ~~or~~ suspension, or non-renewal of a business license pursuant to §§ 110.14 or 110.15 and in accord with the appeal procedures set forth in § 110.16. ~~110.17~~, or the non-renewal of the license.

~~(b)(c)~~ Short term rental licensees shall be subject to graduated penalties as the licensee receives notifications that an occupant or guest has received a written warning or citation for noise, trash, turtle lighting, requirements for special events, or exceeding maximum occupancy during any rolling six month period. Revocation, suspension, or non-renewal of the short term rental business license, in accord with the appeal procedures set forth in § 110.16, for three strikes during a rolling twelve month period.

i. The license will be assessed a strike when the owner, agent, occupant, or guest of the property has been convicted of any violation of the requirements of this Chapter or any other City ordinances related to the use of the property as a short-term rental including but not limited to noise, trash, parking, litter, dune protection, animals at large, and sea turtle violations and when the registered agent of the property is given notice of the strike as set forth herein.

ii. For the purpose of determining the total number of ~~strikes~~, each strike issued upon conviction shall be considered in effect on the date of the original offense and ~~notifications to the owner~~, all written warnings and all convictions related to offenses violations occurring within a single rental contract period shall be considered one ~~strike~~. instance In no case shall ~~notifications to the owner~~ ~~strikes~~ exceed one per rental contract period. The licensee may respond within ten days of receiving the certified notice with evidence that demonstrates that the notice was issued in error.

iii. Strikes will re-set upon the sale of the property.

iv. The City will provide notice of each strike to the registered agent of the property as follows. The graduated penalties are:

1. First ~~strike~~ violation: a description of the violation committed by the tenant and resultant conviction, and a warning that progressive action shall be taken by the eCity in the case

of further violations.

2. Second ~~strike violation~~: a description of the violation committed by the tenant and resultant conviction, and a second warning that progressive action shall be taken by the city the City shall initiate revocation of the rental license in the case of further violations.

3. Third ~~strike violation~~: a description of the violation committed by the tenant and resultant conviction, a civil penalty of \$500, and a third warning that progressive action shall be taken by the city in the case of further violations and notice of the initiation of license revocation procedures.

(d) Any violation of a noise ordinance that occurs on the property will result in a notice that the owner is strongly encouraged to install noise monitoring.

(Ord. 19-10, passed 9-28-10; Am Ord. 26-17, passed 1-9-18; Am. Ord. 32-19, passed 11-12-19; Am. Ord. 033-21, passed 11-9-21)

### **§ 117.03 ADDITIONAL REQUIREMENTS FOR SHORT TERM RENTALS.**

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

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

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

(2) A copy of the City approved rental regulations summary, signed by each signatory of the rental agreement.

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

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

(B) The owner and/or agent shall provide the following for each person signing a rental agreement as a responsible party for a short term rental:

(1) The address of the short term rental and emergency contact numbers;

(2) The name and contact information for the owner or designated agent; and

(3) A copy of the parking diagram provided to the City for the property as well as a copy of the city's rules and regulations regarding noise, trash, parking, alcohol on the beach, animals, litter, surfing, dune protection, sea turtles, smoking on the beach, requirements for special events, maximum occupancy, and golf carts.

(C) Each residential dwelling unit may contain only one short term rental. Individual rooms in short term rentals may not be rented under separate contracts at the same time. For example, a single family home or individual multifamily unit may only be rented as a single short term rental under one contract.

(D) Any events held on the premises of a short term rental shall meet the following requirements:

(1) Must follow any applicable special event notification rules established by the city in

§ 153.05 for events on private property;

(2) Shall be subject to all applicable provisions of the noise regulations in §§ 131.30 through 131.35; and

(3) May not feature mobile food trucks, carts, or other outdoor retailers offering products for sale or in exchange for donations. Caterers are allowed at events on the premises of short term rentals.

(E) All special events held after ~~August 1, 2018~~ **September 13th, 2022** on the premises of a short term rental shall meet the following requirements:

(1) May not exceed ~~49~~ **25** people; and

(2) May not include outdoor amplified music, including bands, deejays, music broadcast through speakers and electronic musical instruments.

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

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

**RATIFIED** this \_\_\_\_\_ day of \_\_\_\_\_ 2022, at Folly Beach, South Carolina, in City Council duly assigned.

**ATTEST:**

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**Municipal Clerk**

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**Tim Goodwin, Mayor**





# City of Folly Beach

Date: September 13, 2022

Re: STR Ordinance Amendment Review

Mayor/Council,

The amendments below are proposed to be the final amendments prior to adoption.

First Reading amendments (approved)

- **117.02.B.6.i +j +k +n:**

The list of rules to be read by the owner, posted in the unit, included in the rental contract, certified on the rental registration permit, and provided to signers of the rental contract were made consistent.

The approved parking diagram for the property was added to the lists of items to be included in rental contracts/posted in the property.

- **117.02.D.1.j:**

A uniform 2 night minimum was added for all zoning districts.

- **117.02.D.1.n:**

The requirements for agents to respond for emergency were changed to a 60 minute window for contacting the City vs. responding physically to the property.

- **117.02.D.2.d:**

The requirement for noise monitoring software was changed to be strongly encouraged and other references were removed

Previously reviewed Second Reading amendments (need to be made by motion and second)

- **117.01.A:**



Additional language added for clarity.

- **117.01.B:**

Definitions added for destination clubs/etc. These were unrelated to cap, but previously listed in Ordinance 26-22.

- **117.02.B.4:**

Corrected to reference rental registration permit instead of business license.

- **117.02.B.6.l:**

Combined and edited to require proof of payment from the owner or rental agency not the State/County account number. Both SCDOR and Charleston County confirmed that individual Atax accounts are not set up at those agencies for each property.

- **117.02.B.7.b:**

Clarified that employees of property management companies can be agents as long as company meets qualifications.

- **117.02.D.1.q**

Makes conviction for failure to correct a failed septic system (as required by Chapter 55) a strike.

- **117.02.D.1.s.**

Wipes the slate clean of all strikes to start over with new ordinance upon adoption.

- **117.03 (C):**

Remove references to restricted/non restricted rentals.

Outstanding Items/Additional Amendments (need to be made by motion and second)

- **117.02.A.1:**

Clarifies that the certificate of occupancy is required for new construction/planned units. Proof of number of bedrooms for existing units already required by **117.02.B.6.o.**

- **117.02.B.2:**

Allows the rental registration fee to be set and reviewed periodically by Council\*

- **117.02.B.6.d:**

Exemptions to parking requirements added for units with approved right of way parking and previously licensed properties.

- **117.02.D.2.c:**

For the purpose of determining the total number of strikes, each strike issued upon conviction shall be considered in effect on the date of the original offense all convictions related to offenses occurring within a single rental contract period shall be considered one strike.

Added animals as potential strike ordinance and lists non exclusive examples of strikes.

Strikes to reset at sale.

- **117.03.A.2:**

Updated to add a requirement that each signer of a rental agreement also sign a copy of the beach rules.

-STR rental registration permit application revision and testing.

-updated Beach Rules summary/City website edits.

Aaron Pope, AICP  
City Administrator



# CITY OF FOLLY BEACH

1<sup>st</sup> Reading: August 9<sup>th</sup>, 2022  
2<sup>nd</sup> Reading: September 13<sup>th</sup>, 2022

Introduced by: Mayor Goodwin  
Date: August 9<sup>th</sup>, 2022

## ORDINANCE 029-22

### AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES CHAPTER 151 (PROTECTION OF LOGGERHEAD SEA TURTLES) BY CREATING SECTION 151.50 (PENALTIES AND ENFORCEMENT) TO ESTABLISH A CIVIL PENALTY FOR VIOLATIONS OF TURTLE LIGHTING REQUIREMENTS.

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

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

## ***PROTECTION OF LOGGERHEAD SEA TURTLES***

### **151.45 DEFINITIONS.**

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

**ARTIFICIAL LIGHT.** Any source of light emanating from a manmade device, including but not limited to, incandescent mercury vapor, metal halide, or sodium lamps, flashlights, spotlights, street lights, vehicular lights, construction or security lights.

**BEACH.** The area of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation (usually the effective limit of storm waves).

**FLOODLIGHTS.** Reflector type light fixture, attached directly to a building and is unshielded.

**LOW PROFILE LUMINARIES.** Light fixtures set on a base which raises the source of the light no higher than 48 inches off the ground, and designed in such a way that light is directed downward from a hooded light source.

**NEW DEVELOPMENT.** New construction and remodeling of existing structures when the remodeling includes alteration of exterior lighting.

**PERSON.** Any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, group or unit or federal, state, county or municipal government.

**POLE LIGHTING.** Light fixture set on a base or pole which raises the source of the light higher than 48 inches off the ground.

**SHADING COEFFICIENT.** A coefficient expressing that percentage of the incident radiation which passes through the window as heat.

**SOLAR SCREEN.** Screens which are fixed installations and permanently project shade over the entire glass area of the window. The screens must be installed outside of the glass and must have:

- (1) A shading coefficient of .450 less;
- (2) A minimum five-year warranty; and
- (3) Performance claims supported by approved testing procedures and documentation.

**TINTED OR FILMED GLASS.** Window glass which has been covered with window tint or film such that the material has:

- (1) A shading coefficient of .450 or less;
- (2) A minimum five-year warranty;
- (3) Adhesive as an integral part; and
- (4) Performance claims which are supported by approved testing procedures and documentation.

(Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99)

#### **§ 151.46 PURPOSE.**

The purpose of this subchapter is to protect the threatened loggerhead sea turtles which nest along the beaches of the city, by safeguarding the hatchlings from sources of artificial light.

(Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99; Am. Ord. 31-08, passed 12-30-08)

#### **§ 151.47 NEW DEVELOPMENT.**

(A) It is the policy of the city that no artificial light illuminate any area of the beaches of the city.

(B) To meet this intent, if lighting associated with construction or development can be seen from the beach, all building and electrical plans for construction of single family or multi-family dwellings, commercial or other structures, including electrical plans for parking lots, dune walkovers or other outdoor lighting for real property shall be in compliance with the following:

(1) Floodlights shall be prohibited. Wall mounted light fixtures shall be fitted with hoods so that no light illuminates the beach.

(2) Pole lighting shall be shielded in a way that light will be contained within arc of three to 73 degrees on the seaward side of the pole. Outdoor lighting shall be held to the minimum necessary for security and convenience.

(3) Low profile luminaries shall be used in parking lots and the lighting shall be positioned so that no light illuminates the beach.

(4) Dune crosswalks shall utilize low profile shielded luminaries. Only mushroom-type light fixtures, which direct light downward, shall be permitted. Such lighting shall also meet the following requirements:

(a) Fixtures shall be installed at least 25 feet apart and not more than one foot above the surface of the walkovers.

(b) Illumination shall be limited to 25 watts through the use of "bug" type bulbs.

(5) Lights on balconies shall be fitted with hoods so that lights will not illuminate the beach.

(6) Tinted or filmed glass shall be used in windows facing the ocean beginning at the first floor level of multi-story structures. Shade screens can be substituted for this requirement.

(7) (a) Temporary security lights at construction sites shall not be mounted more than 15 feet above the ground.

(b) Illumination from the lights shall not spread beyond the boundary of the property being developed, and in no case shall those lights illuminate the beach.

(C) The provisions of this section shall not apply to any structure for which a building permit has been issued by the Building Official, prior to the effective date of this subchapter.

(Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99; Am. Ord. 31-08, passed 12-30-08) Penalty, see § 151.99

#### **§ 151.48 EXISTING DEVELOPMENT.**

(A) It is the policy of the city that no artificial light illuminate any area of the beaches of the city.

(B) To meet this intent, lighting of existing structures which can be seen from the beach shall be in compliance with the following.

(1) Lights illuminating buildings or associated grounds for decorative, security, or recreational purposes shall be shielded or screened such that they are not visible from the beach and will be turned off after 10:00 p.m. until dawn during the period of May 1 to October 31 of each year.

(2) Lights illuminating dune crosswalks of any areas oceanward of the dune line shall be turned off from dusk to dawn during the period of May 1 to October 31 of each year.

(3) Motion detecting security lighting shall be permitted throughout the night so long as low profile luminaries are used and screened in a way that those lights do not illuminate the beach.

(4) Window treatments in windows facing the ocean at the first floor of single-story or multi-story structures are required so that interior lights do not illuminate the beach. The use of blackout draperies or shade screens are preferred. The addition of tint or film to windows or awnings is also encouraged, as is turning off unnecessary lights if the lights illuminate the beach. (Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99; Am. Ord. 31-08, passed 12-30-08) Penalty, see § 151.99

#### **§ 151.49 PUBLICLY OWNED LIGHTING.**

Street lights and lighting at parks and other publicly owned beach access areas shall be subject to the following:

(A) Whenever possible, street lights shall be located so that the bulk of their illumination will travel away from the beach. These lights shall be equipped with shades or shields that will prevent backlighting and render them not visible from the beach.

(B) Lights at parks or other public beach access points shall be shielded or shaded or shall not be utilized during the period May to October 31 of each year.

#### **§ 151.50 PENALTIES AND ENFORCEMENT**

Any person violating any provision of this Chapter shall be deemed guilty of a civil offense and shall be subject to a fine of up to \$500 upon conviction. Each day of violation shall be considered a separate offense.

**RATIFIED** this \_\_\_\_ day of \_\_\_\_ 2022, at Folly Beach, South Carolina, in City Council duly assigned.

**ATTEST:**

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**Municipal Clerk**

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**Tim Goodwin, Mayor**



# CITY OF FOLLY BEACH

1<sup>st</sup> Reading: August 9<sup>th</sup>, 2022  
2<sup>nd</sup> Reading: September 13<sup>th</sup>, 2022

Introduced by: Mayor Goodwin  
Date: August 9<sup>th</sup>, 2022

## ORDINANCE 030-22

### AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES CHAPTER 131 (NOISE), SECTION 131.35 (PENALTIES AND ENFORCEMENT) TO CHANGE THE PENALTY FOR VIOLATIONS OF THE NOISE ORDINANCE TO A CIVIL PENALTY.

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

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

#### § 131.35 PENALTIES AND ENFORCEMENT.

(A) *General penalty.* The penalty for violating the noise ordinance shall be a fine not to exceed \$500 or imprisonment of not more than 30 days. **Any person violating any provision of this Chapter shall be deemed guilty of a civil offense and shall be subject to a fine of up to \$500 upon conviction.**

(B) *Multiple violations; multiple offenders.* An investigating officer may issue citations for multiple violations that occur on the same date at the same location and may issue citations to anyone who contributed to the noise.

(C) *Owner or agent must provide assistance.* If requested by the Department of Public Safety, the owner or local agent shall render assistance to the Department in resolving complaints about noise at a rental property.

(D) *Notice to property owners required.* If a violation occurs on private property and the owner of the property was not present, the city shall make a good faith effort to notify the property owner of the incident and shall document such notification.

(Ord. 07-15, as amended, passed 7-14-15)

**RATIFIED** this 13<sup>th</sup> day of September 2022, at Folly Beach, South Carolina, in City Council duly assigned.

**ATTEST:**

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Municipal Clerk

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Tim Goodwin, Mayor

**Name**

Pamela Barton

**Address**

PO Box 1316  
304 Shadow Race Lane  
Folly Beach, South Carolina 29439  
United States  
[Map It](#)

**Email**

[pamela.barton@comcast.net](mailto:pamela.barton@comcast.net)

**Phone**

(843) 327-6043

**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?**

7

**For which board are you applying?**

Design Review Board

**For which qualification are you applying?**

General Public

**Please tell us about your qualifications.**

>Retired US Army Officer [28 years] - served as planner, managed program budgets, designed training  
>Retired The Citadel [22 years] - Commandant's Operations & Training Director  
>President/Manager of private neighborhood [16 homesites] working with developer on HOA covenants, neighborhood design/development, overseeing construction  
>Real Estate Agent [since 1991] licensed in Missouri and South Carolina  
>Served in multiple capacities in local government operations

**Name**

Betsy Glass

**Address**

1565 E. ASHLEY AVE.  
Folly Beach, South Carolina 29439  
United States  
[Map It](#)

**Email**

[BETSY@THEFLIPPINDESIGNER.COM](mailto:BETSY@THEFLIPPINDESIGNER.COM)

**Phone**

(269) 277-7290

**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?**

4

**For which board are you applying?**

Design Review Board

**For which qualification are you applying?**

General Public

**Please tell us about your qualifications.**

I own a Interior & Architecture Design Firm called The Flippin Designer with my husband and team. We design luxury custom homes all over South Carolina and beyond. I live and breathe design and would love to help out my home town and bring some of my inspirational flair to upcoming projects.

**Signature**





# CITY OF FOLLY BEACH

1st Reading: September 13<sup>th</sup>, 2022  
2nd Reading:

Introduced by: City Council  
Date: September 13<sup>th</sup>, 2022

## ORDINANCE 031-22

**AN ORDINANCE AMENDING CHAPTER 164 OF THE FOLLY BEACH CODE OF ORDINANCES (DEVELOPMENT STANDARDS) BY CREATING SECTION 164.06, PROPERTY SPECIFIC USES ALLOWED BY VARIANCE, TO ALLOW A NINE-BEDROOM INN TO BE BUILT IN THE RESIDENTIAL TWO-FAMILY DISTRICT AT 206 W ARCTIC ST. (TMS# 328-14-00-156).**

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,**

### **§ 164.06 Property Specific Uses Allowed By Variance**

(A) The following uses are deemed approved based upon adoption of property specific ordinance amendment by City Council.

(1) A mixed use development featuring an Inn and Retail 1 use located at 206 W Arctic (TMS# 328-14-00-156).

(a) The Inn shall have a maximum of nine rooms, 4677 heated square feet, and 2304 unheated square feet.

(b) The retail use shall be limited to 1289 heated square feet, and 386 unheated square feet.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2022, at Folly Beach, South Carolina.

**Ayes:**

**Nays:**

**Abstains:**

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**Municipal Clerk**

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**Tim Goodwin, Mayor**



# CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin  
Date: September 13<sup>th</sup>, 2022

**RESOLUTION 34-22**  
**A RESOLUTION BY THE CITY COUNCIL AWARDED FY 22-23**  
**ACCOMMODATION TAX FUNDS BASED ON THE ACCOMMODATIONS TAX**  
**ADVISORY BOARD'S RECOMMENDATION.**

**WHEREAS,** Throughout the fiscal year, the State of South Carolina sends funds to Folly Beach generated from State Accommodation Tax payments; and

**WHEREAS,** 65% of those monies are placed in a reserve account to be distributed to activities that generate tourism outside a 50-mile radius as well as law enforcement, fire protection, solid waste collection, and health facilities when required to serve tourists and tourist facilities, and beach renourishment; and

**WHEREAS,** For the fiscal year 2022-2023, the sum of \$1,294,241.75 was available for distribution to various applicants in the community; and

**WHEREAS,** Applicants requesting funds must be compliant with S.C. Law and the Tourism Expenditure Review Committee Policy and non-compliant funds will be withheld; and

**WHEREAS,** The A-Tax Advisory Board hereby submits its recommendations for FY22-23 ATax funds for City Council's consideration.

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of Folly Beach, South Carolina, that

**Section 1:** City Council commends and extends its appreciation for the ATax Advisory Board for its dedication and commitment, hard work and the many hours it spent reviewing and hearing applications.

**Section 2:** City Council hereby directs the Finance Director to Distribute the FY22-23 ATax funds of \$1,294,241.75 per the recommendation of the ATax Board.

**Section 3:**

|                                                                    |           |
|--------------------------------------------------------------------|-----------|
| Folly Association of Business- New Year's & July 4th               | \$ 22,000 |
| Folly Association of Business-Marketing                            | \$ 44,250 |
| Folly Association of Business-Folly's 50 <sup>th</sup> Anniversary | \$ 50,000 |
| Save The Light                                                     | \$ 50,000 |
| Coastal Family Vacation Foundation                                 | \$ 20,000 |
| Warrior Surf Foundation                                            | \$ 23,433 |

|                                                            |               |
|------------------------------------------------------------|---------------|
| Eastern Surfing Association                                | \$ 12,433     |
| Folly Beach Wahine Classic                                 | \$ 12,433     |
| City of Folly Beach- Public Works Support for Tourism      | \$ 309,691.75 |
| City of Folly Beach-Public Safety Accommodation of Tourism | \$ 600,000    |
| City of Folly Beach-Beach Preservation                     | \$ 150,000    |

**RATIFIED** this 13<sup>th</sup> day of September 2022, at Folly Beach, South Carolina, in City Council duly assigned.

**ATTEST:**

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Tim Goodwin, Mayor



# Accommodations Tax Advisory Board

August 24<sup>th</sup>, 2022  
6:00 PM  
City Hall  
21 Center Street  
Council Chambers

## Commission Members

Paul Chrysostom, Chair  
William Hampton, Vice Chair  
Cliff Harvey  
Amanda Jackson  
Kathy Miller  
Darlene Rawls

## Minutes

### 1. Call to Order/Roll Call (6:00PM)

Ms. Jackson was absent with medical excuse.

### 2. Chairman's Comments

None.

### 3. Approval of the Agenda

Agenda was approved without objection.

### 4. Approval of Minutes from 8.19.2021 Meeting

Minutes were approved without objection.

### 5. Review of Requests from 2022-2023 Applicants

|                                                    |               |
|----------------------------------------------------|---------------|
| a. Folly Association of Business                   |               |
| i. New Year's Eve & July 4 <sup>th</sup> Fireworks | \$ 22,000     |
| ii. Marketing Website                              | \$ 44,250     |
| iii. Folly's 50 <sup>th</sup> Anniversary          | \$ 50,000     |
| b. Save The Light                                  | \$ 50,000     |
| c. Coastal Family Vacation Foundation              | \$ 30,300     |
| d. Warrior Surf Foundation                         | \$ 20,000     |
| e. Eastern Surfing Association                     | \$ 9,000      |
| f. Folly Beach Wahine Classic                      | \$ 9,000      |
| g. City of Folly Beach                             |               |
| i. Public Works Support for Tourism                | \$ 309,691.75 |
| ii. Public Safety Accommodation of Tourism         | \$ 600,000    |
| iii. Beach Preservation                            | \$ 150,000    |

Each presenter gave a brief presentation to the amount of money requested by the committee.

**6. Approval of Funds**

The committee was in agreement with the asks with a minor change.

Mr. Hampton said that the Coastal Family Vacation Foundation is asking for a lot and this is their first time coming to ask for funding. He proposed that \$10,300 be take off their ask and redistributed to the surf groups that have been involved for years.

The committee agreed unanimously on the redistribution.

Chairman Chrysostom called for the vote on the approval of the amended funds.

William Hampton, Yes; Mr. Harvey, Yes; Ms. Miller, Yes; Ms. Rawls, Yes; Mr. Chrysostom, Yes.

**All in Favor.**

No Second meeting needed.

**7. Board Comments**

None.

**8. Adjournment 6:55PM**



# CITY OF FOLLY BEACH

Introduced by: Councilmember Houghton  
Date: September 13<sup>th</sup>, 2022

## RESOLUTION 35-22

### **A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL PLEDGING TO PRACTICE AND PROMOTE CIVILITY IN THE CITY OF FOLLY BEACH.**

**WHEREAS,** A recent national survey found that 93% of Americans believe that incivility is a problem, with 68% considering it a “major” problem and 74% believing that incivility is increasing in America; and

**WHEREAS,** The City Council of Folly Beach, the governing body of Folly Beach, South Carolina, recognizes that robust debate and the right to self-expression, as protected by the First Amendment to the United States Constitution, are fundamental rights and essential components of democratic self-governance; and

**WHEREAS,** The Council further recognizes that the public exchange of diverse ideas and viewpoints is necessary to the health of the community and the quality of governance in the Municipality; and

**WHEREAS,** The members of Council, as elected representatives of the community and stewards of the public trust, recognize their special role in modeling open, free and vigorous debate while maintaining the highest standards of civility, honesty and mutual respect; and

**WHEREAS,** In order to publicly declare commitment to civil discourse and to express concern for the common good and well-being of all of the residents of the City, the Council has determined to adopt this resolution.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:** The City Council of Folly Beach pledges to practice and promote civility within the governing body.

The elected officials of the Council enact this civility pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of Folly Beach.

This pledge ensures all communication — both spoken and written — to be open, honest, and transparent as this is vital for cultivating trust and relationships.

This pledge ensures mutual respect to achieve municipal goals, recognizing that patience, tolerance, and civility are imperative to success.

This pledge ensures opportunities for finding common ground and engaging in civil discussion to seek solutions while actively listening and thoughtfully participating.

**RATIFIED** this 13<sup>th</sup> day of September 2022, at Folly Beach, South Carolina, in City Council duly assigned.

**ATTEST:**

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**Municipal Clerk**

---

**Tim Goodwin, Mayor**



# CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: September 13<sup>th</sup>, 2022

## **RESOLUTION 36-22**

### **A RESOLUTION AWARDING \$900 TO THE FOLLY BEACH CIVIC CLUB TO PURCHASE INFLATABLE DECORATIONS AND CANDY FOR THE CIVIC CLUB HALLOWEEN CARNIVAL 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 \$900 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 \$900 to the Folly Beach Civic Club as recommended by the Community Promotions Committee.

**RATIFIED** this 13<sup>th</sup> day of September 2022, at Folly Beach, South Carolina, in City Council duly assigned.

**ATTEST:**

---

**Municipal Clerk**

---

**Tim Goodwin, Mayor**





## COMMUNITY PROMOTION COMMITTEE

August 31, 2022  
5:00 pm  
Council Chambers

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

### **Regular Meeting Minutes**

#### **1. Call to Order/Roll Call—5:01pm**

Present: Rutledge, Sypolt, Peragnoli, Watson-Miller  
Staff Present: Lacey Deeds

#### **2. Approval of Agenda** No objections

#### **3. Approval of Previous Minutes: July 6, 2022**

No objections

#### **4. New Business:**

##### **a. Request of Funds: Civic Club**

Amy Ray and Dale Hart gave an outline of Halloween activities including use of funding.

Mr. Peragnoli asked if this was for complete setup and budget for games.

Ms. Ray confirmed, with left over monies of \$127 would be used to purchase candy.

Ms. Watson-Miller was glad the event included something for the tweens.

Ms. Watson-Miller made motion to approve request for full \$900 funding. Mr.

Perognoli Second.

Passed unanimously

#### **5. Adjournment** Motion made by Watson-Miller at 5:14 pm



# CITY OF FOLLY BEACH

Introduced by: Councilman Farley

Date: September 13<sup>th</sup>, 2022

## RESOLUTION 37-22

### **A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL AUTHORIZING STAFF TO COMPLETE AN ASSESSMENT AND COST ESTIMATE, BASED ON THE APPROVED CONCEPTUAL DESIGN, FOR COMPLETION OF THE PEDESTRIAN PATH ALONG 2<sup>nd</sup> STREET EAST.**

**WHEREAS,** The City previously developed a conceptual plan for a pedestrian path from Arctic to Indian along 2<sup>nd</sup> Street East and the Commercial District in general; and

**WHEREAS,** The first phase of the 2<sup>nd</sup> Street East path is complete; and

**WHEREAS,** Extending the path to East Indian would further the goal of providing safe pedestrian routes within the district. However, East Huron may offer an alternate route to the Post Office; and

**WHEREAS,** It is necessary to choose one these locations as the end of the 2<sup>nd</sup> Street East path and to complete the path along this street so that planning can begin for future phases.

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of Folly Beach, South Carolina, that staff is authorized to prepare a cost assessment and estimate to be presented to Council in order to determine the final route of the 2<sup>nd</sup> Street East Pedestrian path and begin the procurement process to complete this work.

**RATIFIED** this 13<sup>th</sup> day of September 2022 at Folly Beach, South Carolina, in City Council duly assigned.

**ATTEST:**

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**Municipal Clerk**

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**Tim Goodwin, Mayor**



# CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin  
Date: September 13<sup>th</sup>, 2022

**RESOLUTION 38-22**  
**A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL AWARDING THE**  
**CONTRACT FOR SERVICES DESCRIBED IN THE FOLLY BEACH CITY HALL**  
**EXTERIOR RENOVATION PROJECT.**

**WHEREAS,** The City wishes to procure services for the Folly Beach City Hall Exterior Renovation outlined in Project Number 611493; and

**WHEREAS,** The City advertised a Request for Proposals for this service according to its procurement procedures; and

**WHEREAS,** Staff recommends that the bid be awarded to Huss Inc. The bid amount is \$289,150.00

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of Folly Beach, South Carolina, that the award for the services described in Project 6114493 Folly Beach City Hall Exterior Renovation, is awarded to Huss Inc. in the amount of \$289,150.00

**RATIFIED** this 13<sup>th</sup> day of September 2022, at Folly Beach, South Carolina, in City Council duly assigned.

**ATTEST:**

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Tim Goodwin, Mayor



# City of Folly Beach

Date: September 13<sup>th</sup>, 2022

Re: Folly Beach City Hall Exterior Renovations-(Mosely project # 611493)

Mayor and Council,

On August 29<sup>th</sup> bids were received and opened in accordance with Folly Beach Procurement Procedures for the Folly Beach City Hall Exterior Renovations project. Of the 7 bids received, 5 were deemed responsive and of the 5 responsive bids, Huss Inc. was the low bidder with a bid price total of \$289,150.00. Huss Inc is a local company with a solid history in historical renovations in downtown Charleston among other areas in the low country. Huss Inc. seems to be suited well for this type of work and their total bid is approximately \$30K less than the architect's initial estimate for this project. Please see the architect's bid tab sheet and award recommendation letter.

Staff would like to recommend that Mayor and Council award the contractor for City Hall Exterior Renovations to Huss Inc.

Eric Lutz  
Director of Facilities

Kyle Sullivan  
Deputy Director of Facilities

# MOSELEYARCHITECTS

44 Markfield Drive  
Suite D  
Charleston, SC 29407  
P: (843) 577-5063

August 30, 2022

RE: Folly Beach City Hall Exterior Renovations  
Moseley Project #: 611493

Eric Lutz CBO, CFM  
Director Public Works  
Chief Building Official  
843.513.1832 (office)

Eric,

Enclosed are copies of the *Tabulation of Bids*, *Bid Forms*, and *Bid Bonds* for the above referenced project. We have noted on the *Tabulation of Bids* items that may be considered irregularities or nonresponsive bids. To the best of our knowledge and belief, it is our opinion that **Huss Inc.** appears to be the apparent low bidder, based on the base bid. We know of no reasons why the City of Folly Beach should not award the construction contract to Huss Inc.

Although we have conducted our review, we recommend that you and your legal counsel:

- review the submitted *Tabulation of Bids*, *Bid Form*, *Bid Bonds*;
- identify any informalities;
- confirm that Bids and Bidders comply with all applicable laws, regulations, and statutes, including those related to procurement, especially if any Bids or Bidders are considered for rejection; and
- determine which Bidder should be awarded this contract.

It is customary to retain the Bid Bonds of those Bidders who are under consideration and return the others.

Please do not hesitate to contact us if you have any questions or if we may be of further assistance.

Sincerely,



Benjamin S. Whitener, AIA, LEED AP BD+C, Principal

611493

Encl: As stated

| MOSELEYARCHITECTS                                                                                                                                                                                            |                   |              |                                 |                  |                              | TABULATION OF BIDS                              |         |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------|---------------------------------|------------------|------------------------------|-------------------------------------------------|---------|--|
| Project:Folly Beach City Hall Exterior Renovation                                                                                                                                                            |                   |              | Architect's Project No.: 611493 |                  |                              | Bids Receipt Date/Time: Aug. 29, 2022 @ 2:00 pm |         |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              | Bids Opening Date/Time: Aug. 29, 2022 @ 2:00 pm |         |  |
| General Contractors                                                                                                                                                                                          | Charles Blanchard | HUSS, Inc    | IPW                             | J. Musselman Co. | Kennedy Richter Construction | Lesco                                           | Pyramid |  |
| Part A: Base Bid                                                                                                                                                                                             | \$296,012.00      | \$261,150.00 | \$305,235.00                    | \$304,354.00     | \$0.00                       | \$401,076.00                                    | \$0.00  |  |
| Part B: Lump Sum Allowance No. 1                                                                                                                                                                             | \$12,000.00       | \$12,000.00  | \$12,000.00                     | \$12,000.00      | \$0.00                       | \$12,000.00                                     | \$0.00  |  |
| Part C: Unit Price Allowance No. 2                                                                                                                                                                           | 15 / 15000        | 16 / 16000   | 13.80 / 13800                   | 15 / 15000       | \$0.00                       | 16 / 16000                                      | \$0.00  |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
| Total Base Bid = Parts A + B + C                                                                                                                                                                             | \$323,012.00      | \$289,150.00 | \$331,035.00                    | \$331,354.00     | \$0.00                       | \$429,076.00                                    | \$0.00  |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
|                                                                                                                                                                                                              |                   |              |                                 |                  |                              |                                                 |         |  |
| Receipt of Addenda 1 & 2 - # acknowledged                                                                                                                                                                    | Y                 | Y            | Y                               | Y                | N                            | Y                                               | N       |  |
| Class A Contractor License Number                                                                                                                                                                            | Y                 | Y            | Y                               | Y                |                              | Y                                               |         |  |
| Bid Form signed                                                                                                                                                                                              | Y                 | Y            | Y                               | Y                |                              | Y                                               |         |  |
| Bid Form sealed                                                                                                                                                                                              | Y                 | Y            | Y                               | Y                |                              | Y                                               |         |  |
| Bid Security (5%) attached                                                                                                                                                                                   | Y                 | Y            | Y                               | Y                |                              | Y                                               |         |  |
| All changes or modifications signed or initialed                                                                                                                                                             | Y                 | Y            | Y                               | Y                |                              | Y                                               |         |  |
| Notes:<br>1 - Kennedy Richter, Used 2 bid forms, only acknowledged 1 addendum-Non Responsive<br>2 - Pyramid-Did not acknowledge addenda-Non Responsive<br>3 - Charles Blanchard, Addition error on bid form. |                   |              |                                 |                  |                              |                                                 |         |  |