

CITY OF FOLLY BEACH
Tim Goodwin, Mayor



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City Council Special Meeting
Tuesday November 16th, 2021
SPECIAL MEETING 4:30 P.M.

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

Special Meeting Agenda 4:30 PM

- 1. CALL TO ORDER/ROLL CALL**
- 2. INVOCATION & PLEDGE OF ALLEGIANCE**
- 3. MAYOR'S COMMENTS**
- 4. STAFF REPORTS**
- 5. APPROVAL OF AGENDA**
- 6. CITIZENS' COMMENTS**
- 7. NEW BUSINESS**
 - a. **Ordinance 040-21:** An Ordinance to Impose a Ninety Day Moratorium on The Issuance of Permits for New Construction of Commercial or Residential Structures in The Island Commercial and Downtown Commercial Districts.
- 8. CITY COUNCIL COMMENTS**
- 9. 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

1st Reading: November 9th, 2021
2nd Reading: November 16th, 2021

Introduced by: Mayor Tim Goodwin
Date: November 9th, 2021

ORDINANCE 40-21

AN ORDINANCE TO IMPOSE A NINETY DAY MORATORIUM ON THE ISSUANCE OF PERMITS FOR NEW CONSTRUCTION OF COMMERCIAL OR RESIDENTIAL STRUCTURES IN THE ISLAND COMMERCIAL AND DOWNTOWN COMMERCIAL DISTRICTS.

WHEREAS, the City's primary long term planning document, the *2015 Comprehensive Plan*, recognizes that Center Street is developed at a smaller scale than the remainder of the Downtown Commercial District and acknowledges that this small scale development is key to the City's village atmosphere; and

WHEREAS, Revisions to the City's parking ordinances have highlighted the need for separating the Center Street area from the rest of the District; and

WHEREAS, The majority of the new construction in both the Island and Downtown Commercial district has been for residential use with no commercial components; and

WHEREAS, The scale of residential development, built to the current maximum zoning allowances, has resulted in construction that does not match existing development patterns; and

WHEREAS, Redrawing the boundaries between the commercial districts will allow each district to be refined so that the allowable uses and zoning dimensional standards reflect the different conditions; and

WHEREAS, Such realignment will take several months and involve multiple public hearings; and

WHEREAS, The City desires to pause the development of new structures in the district in order to apply the new zoning regulations to control future development.

NOW BE IT THEREFORE ORDAINED

1. The City of Folly Beach imposes a moratorium, to be effective immediately upon ratification of this Ordinance, on the construction of new commercial or residential structures in the Island Commercial and Downtown Commercial Districts:
 - a) Subject to Section (b) hereof, no application shall be approved for a permit to construct a new structure within these districts.
 - b) Excepted from the provisions of Section 1 (a) are each of the following:
 - i. Projects for which a building permit application has been approved prior to 11/16/21.
 - ii. Projects for which a complete application for review has been submitted to the Design Review Board prior to 11/16/21, the approval of which will authorize the owner to apply for a building permit.
2. The Zoning Administrator and the Planning Commission will propose to the City Council on or prior to February 16, 2022 the text of ordinances required to implement any and all amendments to the land use regulations resulting from the study of the issues at hand.
3. This ordinance shall take effect immediately upon adoption and shall expire automatically on February 16, 2021 unless earlier repealed.

ADOPTED this ___ day of _____ 2021, at Folly Beach, South Carolina.

Ayes: ___ **Nays:** ___ **Abstains:** ___

Municipal Clerk

Tim Goodwin, Mayor



City of Folly Beach

Date: November 16th, 2021

Topic: Commercial District Moratorium

Mayor and Council,

Several months ago, staff presented the outlines for a reorganization of the Island and Downtown Commercial Districts. The primary goals of the revisions are to: redraw the boundaries to limit DC to Center Street only while expanding IC to the rest of the current DC District, adjust various zoning standards for the smaller DC (parking, lot coverage, height, allowable uses) to encourage compatible development, and rework the IC district to prevent conversion to all residential uses and limiting the overall mass and height of future buildings. At best, any final proposals that are settled on are several months away from becoming a law. Council must approve them, the Planning Commission must hold public hearings, and they must receive two readings for adoption. During that time, they may change due to public feedback. There is currently nothing in place to prevent development in the IC and DC zones while these proposals are being debated. Absent a pause on permitting, commercial properties are still available to be used in ways that will continue the development patterns the proposals are meant to stop. Ordinance 040-21 would create a 90 day window that stopped new construction permits (not repairs or minor projects on existing buildings) in the commercial district. This will allow the proposals to be finalized without pressure. Council gave first reading to an ordinance to institute a moratorium in the commercial districts on November 9th and then reviewed the proposals in depth at a Special Work Session on November 11th

Aaron Pope, AICP
City Administrator