

MAYOR
CHRISTIE RAINWATER

CITY ADMINISTRATOR
MIKE COCHRAN



CITY COUNCIL
JEFF C. CHANDLER, MAYOR PRO-TEM
MIKE DYSON
KEVIN HEDGPETH
KEN BOGGS
MICHAEL SALLY
ADAM SPURLOCK

AGENDA

Hanahan City Council Meeting
Tuesday, December 8, 2020 6:30PM
Debbie Lewis Municipal Chambers
1255 Yeamans Hall Road, Hanahan, SC 29410

AGENDA ITEM

PERSON(S) RESPONSIBLE

Call to Order

Jeff Chandler, Mayor Pro Tem

Invocation

Pastor Josh Driscoll, Highland Park Baptist Church

Pledge of Allegiance

Adam Spurlock, Council Member

RECOGNITIONS:

- A. Employees of the Month
- B. Citizens of the Month
- C. Swearing in new Council Members

Mike Cochran, City Administrator

Mike Cochran, City Administrator

Judge Victor Revelise

CITIZENS COMMENTS REGARDING AGENDA ITEMS ONLY

CONSENT AGENDA

1. Approval of the Minutes from the November 10, 2020 City Council Meeting **City Council**
2. Disposal of Outdated In-Car/Body Cams **City Council**
3. Emergency Ordinance #10-2020 – An Ordinance Providing Emergency Procedures for Public Meetings of the City of Hanahan During the Continuance of the Coronavirus Epidemic **City Council**

UNFINISHED BUSINESS

1. Second Reading Ordinance #13-2020 – An Ordinance Amending the City of Hanahan's Zoning and Land Development Ordinance, Section 4, 5, 6 "Political Signs" **Jeff Hajek**, Planner/Econ. Director

2. Second Reading Ordinance #12-2020 –
An Ordinance Amending the City of Hanahan’s
Zoning Map – Rezoning for Heron Preserve PD

Jeff Hajek, Planner/Econ. Director

NEW BUSINESS

1. Seamon Whiteside Presentation
2. Election of Mayor Pro Tem
3. Public Hearing - Introduction and First
Reading Ordinance #14-2020 – An Ordinance
Amending the City of Hanahan’s Zoning and Land
Development Ordinance, Section 8 “Signage”

Taylor Hart, Seamon Whiteside

City Council

Jeff Hajek, Planner/Econ. Director

REPORTS AND COMMENTS

- A. Citizens Comments
- B. City Administrator’s Report
- C. Mayor and Council Comments

ADJOURNMENT

ORDINANCE #10-2020

(to go into effect after Ordinance #8-2020 expires on August 30, 2020 & be valid 8/31/20 - 10/30-20; updated dates, to be valid for another 60-days; 11/10/20 – 1/8/21).

**We will keep this Ordinance on the Consent Agenda, to keep it from expiring.*

AN ORDINANCE PROVIDING EMERGENCY PROCEDURES FOR PUBLIC MEETINGS OF THE CITY OF HANAHAN DURING THE CONTINUANCE OF THE CORONAVIRUS EPIDEMIC

WHEREAS, on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order No. 2020-08, declaring a State of Emergency based on a determination that the 2019 Novel Coronavirus (“COVID-19”) poses an actual or imminent public health emergency for the State;

WHEREAS, also on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

WHEREAS, the President’s Coronavirus Guidelines for America recommend avoidance of social gatherings in groups of more than ten people;

WHEREAS, on March 23, 2020, the Governor issued Executive Order 2020-13, which authorizes law enforcement officers of the State, or any political subdivision thereof, “to prohibit or disperse any congregation or gathering of people, unless authorized or in their homes, in groups of three (3) or more people, if any such law enforcement official determines, in their discretion, that any such congregation or gathering of people poses, or could pose, a threat to public health;”

WHEREAS, COVID-19 has not subsided as originally expected, which has necessitated the enactment of a new ordinance calling for emergency procedures for new public meetings;

WHEREAS, the President, the Governor, and public health authorities have recommended observance of social distancing, including the maintenance of safe zones of at least six feet between individuals;

WHEREAS, the City of Hanahan (the “Municipality”) is required to conduct public meetings in order to discharge its official duties;

WHEREAS, the Municipality has determined that conducting meetings in the ordinary course and in the usual manner would create a public health hazard by involving a gathering of more than three people and in which minimum social distancing could not be reliably observed;

WHEREAS, the South Carolina Freedom of Information Act (“SC FOIA”) defines “meeting” as “the convening of a quorum of the constituent membership of a public body, whether corporal or by means of electronic equipment, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power,” S.C. Code § 30-4-20(d) (emphasis added);

WHEREAS, the South Carolina Attorney General has opined that “in the absence of a statute requiring it to meet physically in a certain place, [SC FOIA] authorizes a public body to meet by means of a telephone conference call so long as the public body complies with the other provisions of the South Carolina Freedom of Information Act,” *Op. S.C. Att’y Gen.*, 2007 WL 1651329, at 2 (May 18, 2007); *see also Op. S.C. Att’y Gen.*, 2012 WL 3875118 (August 28, 2012);

WHEREAS, the City Council of the Municipality (“Council”) now desires to authorize and to establish protocols for conducting meetings during the continuance of the COVID-19 crisis by telephone or other electronic means;

WHEREAS, S.C. Code § 5-7-250(d) provides that “[t]o meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances; but such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate. Every emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;” and

WHEREAS, this Ordinance has been approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered.

NOW, THEREFORE, be it ordained by the City Council of the City of Hanahan as follows:

Section 1. Remote Meetings During the COVID-19 Crisis. The provisions of this Section shall apply to Council and to any and all boards, commissions, committees, or other subsidiary, related, or delegated bodies of the Municipality (collectively, “Boards and Commissions”). For a period beginning on the date of enactment of this Ordinance and continuing until the sixty-first day following such enactment (the “Emergency Term”), the Council and the governing bodies of all of its Boards and Commissions (which governing bodies, including the Council, are referred to herein as the “Governing Body”) shall be entitled to conduct all regular and special meetings by telephone or other electronic means, provided that:

- a) Members of the Governing Body attending by electronic means shall be able to hear any and all comments made by the public, staff, and other members of the Governing Body;
- b) All public participants and attendees, staff, and other members of the Governing Body shall be able to hear the comments, motions, and votes of all of the members of the Governing Body attending such meeting by electronic means, as well as those of any officials or staff required to speak at such meeting;
- c) Other than establishing the electronic connections, there shall be no communications among the members of the Governing Body attending electronically, unless such communication is part of the meeting and can be heard by all public participants and

attendees less and excepting those communications necessary for executive session as allowed under S.C. Code § 30-4-70; and

- d) The comments, motions, and votes of the members of the Governing Body attending electronically shall be recorded in the minutes of the meeting, and the meeting itself shall be recorded in the same manner as would a physical meeting of the body.

Collectively, these conditions are referred to as the “Participation Requirements.”

Section 2. Meeting Protocols. In conducting meetings by telephone or other electronic means, the Governing Body will observe the following protocols:

- a) Immediately after calling the meeting to order, the presiding officer shall poll the members of the Governing Body to confirm attendance.
- b) Any vote of the Governing Body must be conducted by individual voice vote of the members of the Governing Body, who shall verbally indicate their vote on any matter by stating “yay” or “nay.” All individual votes shall be recorded by the clerk, secretary, or presiding officers, as appropriate.
- c) All members of the Governing Body, officials, staff, and presenters should identify themselves and be recognized prior to speaking.
- d) Members of the Governing Body shall strictly comply with the ordinary procedural rules, standards of decorum, and good practices applicable to physical meetings of the Governing Body, particularly as such rules and standards apply to being recognized by the presiding officer, in order to preserve order and allow for the effectiveness of electronic meetings.
- e) With respect to any electronic meeting, any public comment periods provided for by local ordinance, resolution, policy, or bylaws are hereby suspended. Members of the public may submit written public comments which shall be distributed to the members of the Governing Body.

Section 3. Physical Presence Not Required to be Counted as Part of a Quorum. The provisions of this section shall apply to Council and to all of its Boards and Commissions. During the Emergency Term, and notwithstanding any other provision of applicable State or local law, a member attending a meeting of Council or any of its Boards and Commissions by electronic means in compliance with the Participation Requirements, whether physically present or not, shall be counted as present in determining the quorum for such meeting.

Section 4. Suspension of Contrary Local Provisions. During the Emergency Term, any ordinance, resolution, policy, or bylaw of the Governing Body that conflicts with the provisions hereof shall be and is hereby suspended and superseded.

Section 5. Immediate and Concurrent Application Due to Emergency. Given the immediate threat to the public health, safety, and welfare presented by physical gatherings during the COVID-

19 crisis, this Ordinance has been enacted at an electronic meeting in accordance with the Participation Requirements and the protocols set forth herein. Notwithstanding any contrary provision of State or local law, the procedures approved herein shall be effective immediately and concurrently and shall apply to the enactment of this Ordinance, which shall be deemed to have been validly enacted as set forth herein.

Section 6. Expiration of Ordinance; Extension of Emergency Term. As provided by S.C. Code § 5-7-250(d), this Ordinance shall expire automatically as of the sixty-first day following the date of enactment. Notwithstanding the foregoing, however, Council may extend the Emergency Term by ordinance enacted in accordance with the meeting protocols contained in Sections 1, 2, and 3 hereof for one or more additional terms, each of no more than sixty days, provided that the aggregate duration of the Emergency Term, including all such extensions, does not exceed six months.

DONE AND ENACTED IN COUNCIL ASSEMBLED, this ___ day of _____, 2020.

THE CITY COUNCIL OF THE CITY
OF HANAHAN, SOUTH CAROLINA,

Mayor, City of Hanahan, South Carolina

(SEAL)

ATTEST:

Clerk, City of Hanahan, South Carolina

ORDINANCE #12-2020 – Rezoning for Heron Preserve PD

AN ORDINANCE AMENDING THE CITY OF HANAHAN’S ZONING MAP

WHEREAS, Section 2.4 (Amendments) of the City of Hanahan Zoning Ordinance provides a procedure for amending the ordinance; and,

WHEREAS, the City of Hanahan Planning Commission, along with the City Planner, has recommended changes to the City’s Zoning Map and has made its findings to City Council; and,

WHEREAS, a public hearing on these proposed changes was held by the Planning Commission on October 6th, 2020 after due publication of notice of said public hearing as required by law; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning Commission, City Council now wishes to act on this matter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HANAHAN, SOUTH CAROLINA:

Section 1. Amend Zoning Map –TMS numbers 259-00-00-117 as follows:

Amendment to rezone the above referenced parcels from RS (Single-Family Residential) to Type B, PD (Type B, Planned Development) for consistency with the existing land use and the City of Hanahan’s Comprehensive Plan future land use map.

Adopted and approved this the _____ day of _____, 20_____.

Christie Rainwater, Mayor

ATTEST:

Emily Huff, Clerk of Council

Introduced by: _____

First Reading and Public Hearing: _____

Second Reading: _____

ORDINANCE #13-2020 - AN ORDINANCE AMENDING THE CITY OF HANAHAN’S ZONING AND LAND DEVELOPMENT ORDINANCE, SECTION 4.5.6 (Political Signs)

WHEREAS, Section 2.4 (Amendments) of the City of Hanahan Zoning Ordinance provides a procedure for amending the ordinance; and,

WHEREAS, the City of Hanahan Planning Commission, along with the City Planner, has recommended changes to the City’s Zoning Ordinance and has made its findings to City Council; and,

WHEREAS, a public hearing on these proposed changes was held by the Planning Commission on October 6th, 2020 after due publication of notice of said public hearing as required by law; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning Commission, City Council now wishes to act on this matter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HANAHAN, SOUTH CAROLINA:

Section 1. To amend Section 8.8(G) (Political Signs):

(G) **Political signs.** Any sign erected for the purpose of advertising a candidate for public office, or stating a position on a public issue on which an election or referendum is pending with respect to a particular campaign, shall be exempt, provided the following standards are met.

- (1) It is unlawful to place, erect, or maintain any political sign so as to pose a visible hazard to pedestrian or vehicular traffic along streets, sidewalks, or at street corners.
- (2) No political signs are allowed to be illuminated or larger than sixteen (16) square feet.
- (3) Signs cannot be placed more than ~~thirty (30)~~ **forty-five (45)** days prior to official election date for the issue presented on the sign.
- (4) Signs must be removed no later than ten (10) days after the election.

Adopted and approved this the _____ day of _____, 20_____.

Christie Rainwater, Mayor

ATTEST:

Emily Huff, Clerk of Council

Introduced by: _____

First Reading and Public Hearing: _____

Second Reading: _____

**ORDINANCE #14-2020 –
AN ORDINANCE AMENDING THE CITY OF HANAHAN’S ZONING AND
LAND DEVELOPMENT ORDINANCE, SECTION 8 (SIGNAGE)**

WHEREAS, Section 2.4 (Amendments) of the City of Hanahan Zoning Ordinance provides a procedure for amending the ordinance; and,

WHEREAS, the City of Hanahan Planning Commission, along with the City Planner, has recommended changes to the City’s Zoning Ordinance and has made its findings to City Council; and,

WHEREAS, a public hearing on these proposed changes was held by the Planning Commission on November 17th, 2020 after due publication of notice of said public hearing as required by law; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning Commission, City Council now wishes to act on this matter;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF HANAHAN, SOUTH CAROLINA:**

8.3.1. Wall signs.

Any sign directly attached to an exterior wall of a building or dependent upon a building for its support shall be considered a wall sign. Signs directly painted on wall shall be considered wall signs. Wall-mounted signs are subject to the standards below.

- (A) The size of the wall sign shall be no more than five (5) percent of the facade area on which the sign is located, or twenty-four (24) square feet, whichever is less.
- (B) The maximum wall sign area may be divided into two (2) separate signs on the same building facade as long as the total area of the two (2) signs does not exceed the maximum permitted.
- (C) Maximum height shall be eighteen (18) feet above finished grade on that facade.
- (D) Wall signs cannot be located on windows or doors. Standards for window signs appear elsewhere in this chapter.
- (E) Metal applied letter signs may substitute for wall signs. The sign size shall be calculated by drawing one (1) parallelogram around the text and images, adding a two-inch border on all sides, and calculating the area of the resulting box.

8.3.1.2 Murals.

Any non-commercial, sign directly attached or painted on to an exterior wall of a building shall be considered a mural. Murals are subject to the standards below.

- (A) Murals shall be permitted only in the following districts: Town Center (TC), Town Residential (TR), General Commercial (CG) and Industrial (ID).
- (B) Murals shall be a form or expression of art, and not commercial or advertising for a business in any way.
- (C) Murals may not contain any obscene or explicit content.

- (D) There is no square footage requirement, to encourage creativity and a further enhancement of the surrounding community.

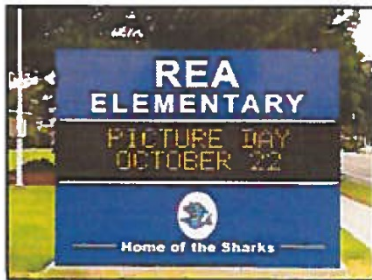
All murals are required to receive approval from the Design Control Committee (DCC). As such, the following documentation will be required in order to be considered.

- (E) Written consent from the property owner.
- (F) If a mural is in a highly visible area, a letter of support from the community is encouraged.
- (G) A draft of the artwork.
- (H) A plan for who will be maintaining the mural in perpetuity.

8.3.7 Changeable copy signs.

(E) **Electronic changeable copy signs:**

- (1) **District limitations.** Electronic changeable copy signs shall be allowed for use by nonprofit and public agencies; e.g., schools, churches, or public uses.



- (2) **Orientation.** When located within one hundred fifty (150) feet of one (or more) residentially-used lot(s) in a residential zone, all parts of an electronic changeable copy sign shall be oriented so that no portion of the sign face is visible from existing or permitted principal structures on those lots;
- (3) **Limited text.** Changeable text of the sign shall be limited to a maximum of ten (10) words to allow passing motorists to read the entire copy with minimal distraction;
- (4) **Duration.** Any changeable portion of the message shall have a minimum duration of eight (8) seconds and shall be a static display.
- (5) **Transitions.** During transition from one sign face to another, messages may fade in, dissolve, or scroll or have limited animation provided they do not violate the prohibitions in Section 8.9.
- (6) **Color.** In residential districts, any portion of the changeable message shall use an amber color or a colored LED projection.
- (7) **Brightness.** Prior to issuance of a permit for an electronic changeable sign, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed a maximum illumination of five thousand (5,000) nits (candelas per square meter) during daylight hours, and five hundred (500) nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness in any district.
- (8) **Dimmer control.** The sign shall be equipped with an automatic dimmer control that will automatically dim the intensity of the light emitted by the sign during ambient low-light conditions and at night so the sign does not exceed the maximum brightness levels allowed in [subsection] (7) above.

8.4.1. On-premises commercial signs.

- (A) On-premises signs shall be permitted in all zones provided that the sign advertises the principal use of the lot.
- (B) Signs shall be located in such a way that they will maintain horizontal and vertical clearance of all overhead electrical conductors. No sign shall be installed closer than ten (10) feet horizontally or vertically from any conductor or public utility guy wire.
- (C) No sign shall be allowed to protrude into the front, side or rear setback. In the absence of required setbacks, no sign shall be located closer than ten (10) feet from the right-of-way or five (5) feet from the side property lines.
- (D) One (1) freestanding on-premises sign shall be allowed per parcel, unless the use is located within a complex, such as a business park or office complex, and shall not exceed three (3) square feet of copy area for each linear foot of road frontage (e.g., one hundred (100) feet of road frontage would justify a seventy-five-square-foot sign), or the maximum sign area permitted in a district, whichever is less.
- (E) Wall signs are allowed but shall not exceed more than ~~fifty (50)~~ **thirty-five (35)** percent of the wall area on which the sign is affixed.

8.4.2. Off-premises signs.

Any sign located, or proposed to be located, at any place other than within the same site or land development in which the specific business or activity being identified on the sign is itself located or conducted is an off-premises sign.

- (A) Off-premises signs shall be allowed only in the Industrial (ID) zoning district.
- (B) One (1) off-premise sign shall be allowed per lot.
- (C) Off-premises signs shall not be greater than twenty (20) feet in height above the surface elevation of the adjacent right-of-way of finished grade beneath the sign.
- (D) Off-premises signs shall not be greater than ~~one hundred fifty (150)~~ **seventy-five (75)** feet in copy area per side.
- (E) Off-premises signs shall be set back at least twenty (20) feet from the pavement edge of the nearest road surface.
- (F) Separation of off-premises signs greater than thirty-five (35) feet in sign area shall be at least one thousand (1,000) feet, measured along the nearest road, from any other off-premises sign.

Adopted and approved this the ___ 8th ___ day of ___ December ____, 2020__.

Christie Rainwater, Mayor

ATTEST:

Emily Huff, Clerk of Council

Introduced by: Jeff Hajek

First Reading and Public Hearing: 12/8/20

Second Reading: _____