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# City of Walterboro

242 Hampton Street

Walterboro, South Carolina 29488

Mailing Address:

Post Office Box 709

Walterboro, South Carolina 29488-0008

Walterboro City Council  
Public Hearing and Regular Meeting  
July 22, 2014  
City Hall  
6:15 P.M.

## A G E N D A

**I. Call to Order:**

1. Invocation.
2. Pledge of Allegiance.

**II. Public Input on Agenda Items:**

**III. Public Hearing:**

1. Ordinance # 2014-07, to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina to Establish the Boundaries of the Historic Preservation Overlay District.
2. Ordinance # 2014-08, to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina to Establish the Historic Preservation Overlay (HP-O) to Include Commercial Design Guidelines.

**IV. Presentation:**

1. New Solar Energy Law, Father Jeffrey Kendall, SCANA Advisory Board.

**V. Approval of Minutes:**

1. Minutes of the June 24, 2014 Public Hearing and Regular Meeting (Minutes attached).
2. Minutes of the July 8, 2014 Regular Meeting (Minutes attached).

**VI. Old Business:**

1. **Ordinance # 2014-07**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina to Establish the Boundaries of the Historic Preservation Overlay District, **Second Reading and Adoption Reading** (Ordinance attached).

**VI. Old Business (Cont.):**

2. **Ordinance # 2014-08**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina to Establish the Historic Preservation Overlay (HP-0) to Include Commercial Design Guidelines, **Second Reading and Adoption** (Ordinance attached).

**VII. New Business:**

1. Consideration of Requests by Walterboro Rotary Club for 2<sup>nd</sup> Annual Ireland Creek Bridge Run on September 4, 2014 (Letter attached).

**VIII. Committee Reports:**

**IX. City Manager's Report:**

**X. Executive Session:**

1. Personnel Matters:
  - a) Police Chief & Fire Chief Search Update.
  - b) City Judge & Associate City Judge Appointments.
2. Legal Briefing - Tree Protection Committee Ruling (IGA)

**XI. ADJOURNMENT.**

# AFFIDAVIT OF PUBLICATION IN

## **The Press and Standard**

PERSONALLY appeared before me, William B. Moore, who being duly sworn, says that he is the publisher of The Press and Standard, published on Thursday of each week in Walterboro, County of Colleton, State of South Carolina; that the notice, of which a printed copy is hereby attached, was published in The Press and Standard for **One(1)** issues, said publication commencing on **July 03, 2014**, and ending on **July 03, 2014**.

SWORN to before me

this 3 day of JULY, 2014

William Moore (L.S.)

Notary Public for South Carolina

Commission expires 6-4-22



William B. Moore



### **PUBLIC HEARING NOTICE**

Walterboro City Council will hold a public hearing on Tuesday, July 22, 2014 at 6:15 P.M. in City Hall, 242 Hampton Street, to receive public comments on the following proposed ordinances:

- **Ordinance # 2014-07**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina to Establish the Boundaries of the Historic Preservation Overlay District.
- **Ordinance # 2014-08**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina to Establish the Historic Preservation Overlay (HP-O) to Include Commercial Design Guidelines.

Copies of the proposed ordinances are available in the City Manager's Office at City Hall, 242 Hampton Street. Written comments may be mailed to the City Manager, P.O. Box 709, Walterboro, SC 29488 and must be received prior to the public hearing. Please call the City Manager's Office (782-1011) for additional information or for disabled persons needing auxiliary aids. Please give at least 24 hours notice if auxiliary aids are required.

## Betty Hudson

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**From:** Jeffrey Kendall <jkcatawhompus@gmail.com>  
**Sent:** Thursday, July 17, 2014 8:40 AM  
**To:** budson@walterborosc.org  
**Subject:** Agenda

Hello

I request to be put on the agenda at the next city council meeting.

I have been invited to be on an advisory board by SCANA, the holding company of SCE&G, to discuss the implementation of a new solar energy law.

That law makes solar energy more accessible for everyone in South Carolina, including non-profits.

The first meeting is today, July 17. A second meeting is scheduled on July 31.

Part of my work to advise SCANA is to be a liaison between them and communities.

On Tuesday, I will give the city council an explanation of the new law and the potential benefits for Walterboro and Colleton County.

I will also talk to SCE&G about building a solar farm in Canadys.

Thank you for your consideration of my request.

Fr. Jeffrey Kendall  
Sent from my iPad=

DRAFT

Walterboro City Council  
Public Hearing and Regular Meeting  
June 24, 2014

### **MINUTES**

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, June 24, 2014 at 6:15 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. City Manager Jeff Molinari, City Clerk Betty Hudson, and City Attorney George Cone were also present. There were approximately 42 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order and Council Member Syfrett gave the invocation. Council Member Lohr led the pledge of allegiance to our flag.

### **PUBLIC INPUT ON AGENDA ITEMS:**

No public comments or questions were received on agenda items.

### **PUBLIC HEARING:**

Mayor Young then opened a public hearing, duly advertised, to receive public comments/questions on the following proposed ordinances:

- 1) Ordinance # 2014-05, An Ordinance to Modify the Public Safety Department of the City of Walterboro, South Carolina to Provide for the Establishment of Two (2) Positions, a Police Chief and a Fire Chief.

The Mayor explained that the City is going away from Public Safety and separating those two departments. He asked if there were any comments or questions. None were received.

- 2) Ordinance # 2014-06, An Ordinance to Abolish the Equipment Replacement Fund of the City of Walterboro, South Carolina.

The Mayor explained that the City had a self-financing fund which was used to purchase equipment, and we are going to change the way that we do that. This would abolish the Equipment Replacement Fund. He then asked for any comments or questions. None were received and the public hearing was closed.

### **PROCLAMATIONS AND RESOLUTIONS:**

- 1) Resolution # 2014-R-07, A Resolution to Honor Franklin R. Smalls for Exceptional Service and Recognition of his 80<sup>th</sup> Birthday.

A motion to adopt Resolution # 2014-R-07 as submitted was made by Council Member Bridge and seconded by Council Member Broderick. The Mayor announced that he would be attending Mr. Smalls' birthday party on Saturday, and would read and present this resolution to him at that time. The Mayor then read the resolution in its entirety into the records. He presented a copy of the resolution to Mr. David Smalls, son of Mr. Franklin Smalls, who was present at the meeting.

The motion then passed unanimously. A copy of the resolution is attached as part of these minutes.

- 2) Resolution # 2014-R-08, to recognize Science Achievement Award for Amber Avant, Bailey Crosby, Morgan Dandridge, Megan Dewitt and Casey Powell.

DRAFT

Walterboro City Council  
Public Hearing and Regular Meeting  
June 24, 2014

**MINUTES/Page II**

A motion was made by Council Member Siegel to adopt Resolution # 2014-R-08 as submitted. Council Member Broderick seconded the motion that passed with all members voting in favor.

The Mayor then called the students, along with their science teacher Ms. Ann Henson, to the podium. The students recognized for this achievement were: Amber Avant, Bailey Crosby, Morgan Dandridge, Megan Dewitt and Casey Powell. The Mayor then record the resolution in its entirety into the records. A copy of the resolution is attached as part of these minutes.

**PRESENTATION - Ms. Kim Bridge, Program Coordinator, Colleton County Arts Council:**

Ms. Kim Bridge, present at the request of Council Member Lohr, reported on the current classes for adults and children at the Arts Council. She stated that the Arts Council is hoping to offer more classes for adults and children. She announced that the Children's Theater will be performing 101 Dalmatians. There were over 90 children who showed up for the audition. The performance will be held on Saturday and Sunday, September 6 and 7. The Arts Council is also offering a lot of art classes for kids and adults this summer. These classes are pottery, painting, basket weaving, children's theater, camp, drawings, creative writing, etc. She said, we ask that everyone preregister for the classes, so the artists will have time to gather the needed materials. The Arts Council will hold its membership drive in July. Ms. Bridge then passed out a brochure listing all the classes being held at the Arts Council.

Mr. Lohr reported on other activities being held for children in the summer time. This includes many activities being held through our Rec Center. There are numerous summer camps sponsored by the Rec Center, Colleton Co. High School, Colleton Prep and USC - Salkehatchie. From June 6 to August 1, our local library will hold activities for students 12-18, which includes such things as: gaming, crafts, scavenger hunts, crime scene investigations, movies, food and fun. There are also activities being held for the younger children at the library. Council Member Lohr also reported that the local city parks are being used a lot by our residents. He invited everyone to visit the parks and use them. He also stated that most all of our churches have Vacation Bible School. Some even have them jointly. Mr. Wayne Bennett of the Department of Juvenile Justice spoke at Mt. Olive Baptist Church as summer started, and there were 60 children per day at this one church for Vacation Bible School. There is also girl scouts and boy scouts groups to join. The Sheriff's Department also has something planned this summer over a period of time for different age levels.

**APPROVAL OF MINUTES:**

The Minutes of the May 27, 2014 Work Session on the Historic Preservation Overlay Ordinance was approved as submitted upon the motion of Council Member Broderick, seconded by Council Member Lohr with all members voting in favor.

Next, the Minutes of the May 27, 2014 Public Hearing and Regular Meeting were approved as submitted on the motion of Council Member Broderick, seconded by Council Member Bonds and passed unanimously.

The Minutes of the June 10, 2014 Public Hearing and Regular Meeting were approved as submitted on the motion of Council Member Bonds, seconded by Council Member Syfrett, with all members voting in favor.

**OLD BUSINESS:**

**MINUTES/Page III**

1. **Ordinance # 2014-05**, An Ordinance to Modify the Public Safety Department of the City of Walterboro, South Carolina to Provide for the Establishment of Two (2) Positions, a Police Chief and a Fire Chief, was before Council for **Second Reading and Adoption**.

A motion was made by Council Member Siegel giving Second Reading and Adoption to Ordinance # 2014-05. Council Member Syfrett seconded the motion that passed unanimously.

2. **Ordinance # 2014-06**, An Ordinance to Abolish the Equipment Replacement Fund of the City of Walterboro, South Carolina, was before Council for **Second Reading and Adoption**.

A motion was made by Council Member Bridge, seconded by Council Member Broderick, giving Second Reading and Adoption to Ordinance # 2014-06. The motion passed unanimously.

**NEW BUSINESS:**

1. **Ordinance # 2014-07**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina to Establish the Boundaries of the Historic Preservation Overlay District, was before Council for **First Reading Approval**.

Planning Director David Dodd briefed Council on this agenda item. He stated that the Historic Preservation Overlay encompasses the two National Historic Districts and the Downtown Development District, which are already under the preservation protection and it fills in with the doughnut holes, which are identified in the current map on display in Council Chambers at this meeting. He said this gives us one consistent overlay so that we don't have pockets that are not covered. The whole purpose is to have a unified coverage to keep the character of the district and the character of the area preserved and protected.

A motion was made by Council Member Broderick, seconded by Council Member Lohr giving First Reading Approval to Ordinance # 2014-07. The motion passed with all members voting in favor.

The Mayor pointed out that City Council did have a work session on these ordinances, and it may appear that we are looking at them and voting quickly. However, this has been going on for a long time, so it's not really a quick decision on them.

2. **Ordinance # 2014-08**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina to Establish the Historic Preservation Overlay (HP-O) to Include Commercial Design Guidelines, was before Council for **First Reading Approval**.

The Mayor recognized Planning Director David Dodd to brief Council on this item. Mr. Dodd stated that the overlay and the design guidelines all work hand-in-hand. For years, we have had residential design guidelines, but we have never had any commercial design guidelines. The Downtown Improvement District, which is primarily Washington Street, Lucas Street, Walter Street and Memorial Street, are primarily all commercial structures, and are covered under the Historic Preservation Overlay already, but had no guidelines for the preservation measures to be looked at for those buildings. So, the Comp Plan which was adopted in 2010 and the Unified Development Ordinance which was adopted in 2012 both calls for the development of commercial design guidelines. The Historic Preservation Commission has worked on these

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guidelines for several years and presented all that information to the Planning Commission, which reviewed it for more than a year. It is now being recommended to City Council for adoption.

A motion was then made by Council Member Bridge giving First Reading Approval to Ordinance # 2014-08. Council Member Broderick seconded the motion that passed with all members voting in favor.

3. Consideration of Bids Received for the Lucas Street Storm Drainage Project

City Manager Jeff Molinari reported on the bids received by the City for the Lucas Street Storm Drainage Project. He stated that the City has an ongoing drainage problem at the intersection of East Washington Street and North Lucas Street. To that end, the City applied for Colleton County Transportation Committee (CTC) funds to address the problem, and in March we were awarded \$52,000. The City advertised the project for a hired contractor to go in and take out the cypress knees that had grown into the storm drain. The City received a total of 4 bids as follows:

Bio-Nomic Services, Inc., Charlotte, NC	\$36,819.00
Porter Scientific, Inc., Pembroke, NC	\$45,000.00
Eadie's Construction Co., Inc., Ridgeville, SC	\$46,005.00
United Sewer Services Inc., Patterson, GA	\$48,200.00

Mr. Molinari stated that staff recommends acceptance of the low qualified bidder, Bio-Nomic Services, Inc., in the amount of \$36,819.00. He said that the City would be reimbursed the full amount from the Colleton Co. Transportation Committee. City staff asks for Council's favorable consideration at this time.

A motion was made by Council Member Lohr, seconded by Council Member Siegel to accept the low bidder, Bio-Nomic Services, Inc. in the amount of \$36,819.00 for the Lucas Street Storm Drainage Project. The motion passed unanimously.

4. Consideration of Funding Recommendations from the Accommodations Tax Advisory Board

Next, City Manager Molinari reported that the following recommendations for funding were made by the Accommodations Tax Advisory Committee at its regularly scheduled meeting on June 19, 2014:

<u>Requests for 30% Tourism Fund</u>	<u>Requested</u>	<u>Approved</u>
Walterboro Tourism Commission	\$53,000	\$53,000

Mr. Molinari stated that this would continue to designate the Walterboro Tourism Commission as the designated marketing organization for the City of Walterboro.

<u>Requests for 65% Tourism Fund</u>	<u>Requested</u>	<u>Approved</u>
Colleton Museum & Farmers Market	\$ 4,000	\$ 4,000
Walterboro Tourism Com. Wings & Wheels	\$ 6,000	\$ 6,500
Lowcountry & Resorts Island - guidebooks	\$13,550	\$ 7,000
SC Artisans Center-marketing & promotion	\$14,400	\$12,000
Colleton Co. Rice Festival	\$15,000	\$10,000
Downtown Walterboro Criterium	\$21,000	\$15,000
City of Walterboro - local billboard program	\$21,000	\$20,000
Walterboro Tourism Com-Walterboro Rocks	\$46,000	\$40,000



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Total 65% Requests	\$141,564	\$114,500
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City Manager Molinari reported that a little over 30,000 in A-Tax funds would be left. It is anticipated that the Committee would be recommending funding for additional requests at their October meeting.

A motion was made by Council Member Bridge, seconded by Council Member Syfrett to approve the funding requests as submitted by the Accommodations Tax Advisory Committee. The motion passed with all members voting in favor.

5. Request for Street Closing for Alumni Community Walk, July 5, 2014, 7:30 A.M. to 8:30 A.M., by Colleton Training School/Colleton High School Alumni Association, Inc.

A motion was made by Council Member Lohr, seconded by Council Member Broderick to approve the street closing request and parade permit as submitted by the CTS/Colleton High School Alumni Association for a Community Walk on July 5, 2014. The motion passed unanimously. Mr. Herman Bright present on behalf of the Alumni Association invited all Council Members to join his group on July 5. He stated, this is something we do every 2 years for our grand reunion. We appreciate the opportunity to be able to walk from the old football stadium to the center on Gruber Street. He anticipated that 125 people would be coming to Walterboro for this event.

**CITY MANAGER'S REPORT:**

City Manager Molinari announced that the City received notice a few days ago that it had received a Community Development Block Grant award in the amount of \$750,000. This application was submitted back in April for some water line improvements to several of our streets: Peurifoy Road, Edgewood Street, Hampton Street, Francis Street, Hickory Street, Third Street and Cherry Street. He then recognized Utilities Director Wayne Crosby, as well as Michelle Knight with LCOG, for putting together that application.

**EXECUTIVE SESSION:**

The Mayor then entertained a motion to enter an Executive Session. Council Member Broderick So Moved and Council Member Lohr seconded the motion. The motion passed unanimously. The Mayor announced that the meeting will convene into an Executive Session for:

- 1) A personnel matter - Appointment of City Attorney and City Prosecutor.
- 2) Contractual Matter - Consideration of Joining a Lawsuit Against the Colleton County Legislative Delegation to Challenge School Board Reapportionment.
- 3) Receipt of Legal Advice.

At approximately 7:00 p.m., the meeting convened into an Executive Session.

At 7:30 P.M., a motion was made by Council Member Lohr, seconded by Council Member Broderick, to exit the Executive Session and return to Open Session. The motion passed unanimously. The meeting returned to Open Session.

The Mayor then made a motion to join the lawsuit against Colleton County Legislative Delegation to Challenge the School Board Reapportionment. Council Member Lohr seconded the motion that passed unanimously.

DRAFT

Walterboro City Council  
Public Hearing and Regular Meeting  
June 24, 2014

**MINUTES/Page VI**

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Lohr, seconded by Council Member Broderick and passed unanimously. The meeting adjourned at 7:31 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

DRAFT

Walterboro City Council  
Regular Meeting  
July 8, 2014

**MINUTES**

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, July 8, 2014 at 6:15 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. City Manager Jeff Molinari, City Clerk Betty Hudson and City Attorney George Cone were also present. Council Member Jimmy Syfrett was absent. There were approximately 29 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order and gave the invocation. Council Member Siegel led the pledge of allegiance to our flag.

Mayor Young announced the recent passing of our City Judge, Ray Woodard, who passed away last week. He said, City Council's condolences go out to his family, friends and to Attorney George Cone, who was one of his best friends. We will miss him.

**PUBLIC INPUT ON AGENDA ITEMS:**

No public comments or questions were raised on agenda items.

**OLD BUSINESS:**

- 1) Motion to Reconsider Resolution # 2014-R-05, A Resolution Authorizing Submission of CDBG Grant Application for the Lemacks Street Village Renaissance Project, Phase III, in the Amount of Approximately \$500,000 and Committing a 10% (approx. \$50,000) Match in Local Funds, and Providing an Additional \$46,963 in Order to Meet the Costs as Outlined in the Cost Estimate Dated May 23, 2014.

City Manager Molinari briefed Council on this agenda item. He stated that the City was recently approved for Phase III of the North Lemacks Street Project. Phase I of the project was development of the plans. We recently closed out Phase II in March. Because we developed a plan and successfully completed Phase II, we are qualified for what the Department of Commerce refers to as "Noncompetitive funding," meaning we were essentially guaranteed another \$500,000 if we successfully closed out Phase II. That being said, the application has to be in its final form to be accepted. Michelle Knight of Lowcountry Council of Governments, who put the application together for the City, had to make a few adjustments with the numbers and could not get the numbers to exactly match the original budget. So, we had to make a slight modification from the resolution that was approved by Council on May 27. This means that the City will be pledging an additional \$46,963 as opposed to \$48,089, which was originally authorized in the May 27 resolution. With City Council's favorable consideration, we will be able to submit the completed application to the Department of Commerce and move forward with the administration of the grant.

A motion was then made by Council Member Siegel to adopt Revised Resolution # 2014-R-05, A Resolution Authorizing Submission of CDBG Grant Application for the Lemacks Street Village Renaissance Project, Phase III, in the Amount of Approximately \$500,000 and Committing a 10% (approx. \$50,000) Match in Local Funds, and Providing an Additional \$46,963 in Order to Meet the Costs as Outlined in the Cost Estimate Dated May 23, 2014. Council Member Broderick seconded the motion that passed with all members voting in favor, except Council Member Syfrett was absent and did not vote.

DRAFT

Walterboro City Council  
Public Hearing and Regular Meeting  
July 8, 2014

**MINUTES/Page II**

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Broderick, seconded by Council Member Siegel and passed unanimously. The meeting adjourned at 6:21 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

**ORDINANCE # 2014-07**

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA TO ESTABLISH THE BOUNDARIES OF THE HISTORIC PRESERVATION OVERLAY DISTRICT.**

**WHEREAS**, the City of Walterboro Comprehensive Plan states the goal to protect and enhance historic sites, structures and resources and foster compatible new development to maintain the City's historic and cultural character; and,

**WHEREAS**, the Comprehensive Plan further establishes the objective to protect historically significant resources by creating an overlay district with design regulations in the areas of historic concentration not included in either of the national historic districts and that design guidelines appropriate for those areas need to be incorporated for historic preservation needs and requirements; and,

**WHEREAS**, the City of Walterboro Unified Development Ordinance states that for Historic Designation, a group of cultural resources may be designated if a majority of the properties convey a sense of historic or architectural cohesiveness, the area in general, is associated with a historically significant period in the development of the community and the majority of the properties embody distinctive characteristics of style; and,

**WHEREAS**, the Historic Preservation Commission has presented findings regarding the inclusion of the Hickory Valley National Historic District, the Walterboro National Historic District, the Downtown Improvement District and the properties situated in and around these districts into one Historic Preservation Overlay for the purpose of protecting the overall character of the area; and,

**WHEREAS**, the Municipal Planning Commission has received and finds the Historic Preservation Commission's findings to be consistent with the intent of the Walterboro Comprehensive Plan and the Walterboro Unified Development Ordinance and has recommended the area as indicated on the attached map as the Historic Preservation Overlay as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WALTERBORO, IN COUNCIL ASSEMBLED**, that the following area be designated as the Historic Preservation Overlay:

All of the properties included in the Hickory Valley National Historic District, the Walterboro National Historic District, the Downtown Improvement District and the other properties situated in and around these districts to consist of Tax Map Numbers **163-08-00-005**, 082, 083, 084, 085, 086, 087, 091, 096, 097, 098, 099, 100, 101, 107, 108, 109, 110, 112, 113, 114, 116, 117, 139, 140; **163-11-00-002**, 003, 004, 005, 006, 007, 009, 013, 014, 015, 016, 072, 075, 077, 130, 131, 132, 133, 151, 152, 166, 280; **163-12-00-002**, 003, 004, 005, 006, 007, 161, 164, 165, 168, 170, 171, 172, 173, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 212, 213, 214, 216; **163-16-00-105**, 132, 161, 162, 169, 178, and 179. The boundaries of the overlay shall include portions of North and South Jefferies Boulevard,

Wichman Street, Paul Street, Commerce Drive, Sweat Street, North Lemacks Street, Gruber Street, Savage Street, Charles Street, Hampton Street, South Lemacks Street, Carn Street, Brownlehe Street, Rivers Street, Morrall Street, Black Street, South Memorial Avenue, Sanders Street, and South Lucas Street.

**ADOPTED**, this 22<sup>nd</sup> day of July, 2014.

\_\_\_\_\_  
William T. Young, Jr.  
Mayor

Attest:

\_\_\_\_\_  
Betty J. Hudson  
City Clerk

First Reading: June 24, 2014  
Public Hearing: July 22, 2014  
Second Reading: \_\_\_\_\_



**ORDINANCE # 2014-08**

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA TO ESTABLISH THE HISTORIC PRESERVATION OVERLAY (HP-O) TO INCLUDE COMMERCIAL DESIGN GUIDELINES.**

**WHEREAS**, the City of Walterboro Comprehensive Plan states the goal to protect and enhance historic sites, structures and resources and foster compatible new development to maintain the City's historic and cultural character; and,

**WHEREAS**, the Comprehensive Plan further establishes the objective to protect historically significant resources by creating an overlay district with design regulations in the areas of historic concentration not included in either of the national historic districts and that design guidelines appropriate for those areas need to be incorporated for historic preservation needs and requirements; and,

**WHEREAS**, the City of Walterboro Unified Development Ordinance states that for Historic Designation, a group of cultural resources may be designated if a majority of the properties convey a sense of historic or architectural cohesiveness, the area in general, is associated with a historically significant period in the development of the community and the majority of the properties embody distinctive characteristics of style; and,

**WHEREAS**, the Historic Preservation Commission has presented findings regarding the inclusion of the Hickory Valley National Historic District, the Walterboro National Historic District, the Downtown Improvement District and the properties situated in and around these districts into one Historic Preservation Overlay for the purpose of protecting the overall character of the area; and,

**WHEREAS**, the Historic Preservation Commission has recommended Commercial Design Guidelines to be utilized in the fulfillment of their duties; and

**WHEREAS**, the Municipal Planning Commission has studied the recommended guidelines and found them consistent with the Powers and Duties of the Historic Preservation Commission and that the guidelines will strengthen the Unified Development Ordinance; and,

**WHEREAS**, the Municipal Planning Commission recommends the following changes to the Unified Development Ordinance to establish the Historic Preservation Overlay to include Commercial Design Guidelines in the Ordinance.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the City of Walterboro, in Council Assembled, that the following amendments to the Unified Development Ordinance will become effective upon passage of this ordinance:



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Change Chapter 4 title from Building Design Requirements to **Building and Historic Design Requirements**

**Add Section 2.7.3 Historic Preservation Overlay (HP-O)**

**2.7.3.1 Purpose & Authority**

A. The purpose of the Historic Preservation Overlay is to:

1. protect, preserve and enhance the distinctive architectural and cultural heritage of Walterboro, South Carolina;
2. safeguard the heritage of the City of Walterboro by promoting the educational, cultural, economic and architectural history of Walterboro;
3. foster civic pride and beauty;
4. ensure harmonious, orderly and efficient growth and development of Walterboro;
5. strengthen the local economy;
6. stabilize and improve property values in the historic districts and surrounding properties, and
7. improve and maintain property values in the historic districts and surrounding properties, and
8. provide for the designation and preservation of historic properties within the city's limits.

B. The City of Walterboro's intent is to create a sense of general harmony of style, proportion and materials between buildings of historic and contemporary design. The objective is for Walterboro's historic buildings and historic districts to serve as visible reminders of the significant historical and cultural heritage of Walterboro and the State of South Carolina. This Overlay is designed as a tool to assist in the preservation of the unique historical resources for the education and pleasure of present as well as future residents of the City of Walterboro.

C. City Council expressly adopts this Overlay enacted pursuant to the South Carolina Code of Laws 6-29-870 et sequitur, to

1. Make specific provision for the preservation and protection of historic and architecturally valuable districts and neighborhoods, as well as individual historic structures located in areas other than the historic districts, and
2. Protect the unique and special character of the historic districts and properties in the City of Walterboro.

**2.7.3.2 Establishment of the Historic Preservation Overlay**

A. The Historic Preservation Overlay is hereby established, with boundaries as shown on the Official Zoning Map.

B. The Historic Preservation Commission is established in Section 10.5 of this Ordinance. The jurisdiction of the Historic Preservation Commission, in general, is hereby restricted to the boundaries of the Overlay and any individual Historic Landmark identified

**Section 2.7.3.3 Historic Design Guidelines**, remove existing paragraph and replace with:

The Historic Preservation Commission shall utilize the appropriate design guidelines referenced in Sections 4.6 and 4.7 for the review of Certificate of Appropriateness requests as set forth in section 11.5. Requirements or properties within the historic overlay zones that are considered “non-historic” or “noncontributing” shall be reviewed using the guidelines for new construction.

These guidelines are intended to apply to building typology and not the use within the structure, recognizing that an older building may be converted for alternative uses. However, the structure should maintain the integrity of its original purpose. New structures will be categorized by the same building types as the existing structures.

**Chapter 4** renamed to **Building and Historic Design Requirements** and add **Section 4.6 Historic Preservation Overlay: Residential Design Guidelines** and **Section 4.7 Historic Preservation Overlay: Commercial Designs Guidelines** on page 4-1.

**Section 4.5.3 Historic Preservation Commission Design Evaluation** to read:

The design guidelines for properties in the Historic Preservation Overlay shall be evaluated by the Historic Preservation Commission during the Certificates of Appropriateness approval process outlined in Section 11.5.

#### **Section 4.6 HP-O: Residential Design Guidelines**

##### **4.6.1 Applicability**

A. The policy statements of this Section were developed in 2000 with the adoption of the *Design Guidelines for Historic Districts in Walterboro, South Carolina* prepared by Winter and Company of Boulder Colorado. For more detail about design guidelines for residential properties in the Historic Preservation Overlay, refer to this document. This Section shall be used by the Administrator and the Historic Preservation Commission for the evaluation of all Certificate of Appropriateness requests for properties located in the Historic Preservation Overlay as set forth in Section 11.5.

#### **Section 4.7 HP-O: Commercial Design Guidelines**

##### **4.7.1 Applicability**

A. This Section shall be used by the Administrator and the Historic Preservation Commission for the evaluation of all Certificate of Appropriateness requests for commercial properties located in the Historic Preservation Overlay as set forth in Section 11.5.

##### **4.7.2 Purpose of Guidelines**

A. The main intent of these guidelines is to ensure that new construction and proposed alteration of existing properties will not adversely affect the architectural character of Historic Preservation Overlay. These guidelines provide information to property owners about the maintenance, repair, rehabilitation, and historic or distinctive characteristics of the buildings in and around Historic Downtown Walterboro.

B. The goals of these guidelines are:

1. To preserve and enhance the aesthetic beauty of the Historic Preservation Overlay.

2. To protect and celebrate the heritage of Walterboro as exemplified in the architectural characteristics of the buildings and environment.
3. To preserve and protect older architectural features.
4. To foster appropriate development within Historic Preservation Overlay.
5. To maintain a pedestrian friendly environment.
6. To promote heritage tourism.
7. To use historic assets for economic development and community revitalization.

### **4.7.3 Existing Structures**

#### **4.7.3.1 General Provisions**

A. While it is acknowledged that changes to structures in the Historic Preservation Overlay will occur over time, it is also important to bear in mind that these changes should not do damage to the historic building fabric and character of the district. This character is exactly what gives Walterboro that distinct ambiance that relates to the historic fiber of a small southern town that has survived for over 200 years. Inconsistent improvements will decrease the value of all downtown properties. Preservation of the exteriors and storefronts of these buildings will continue their contribution to the unique architectural character of the area.

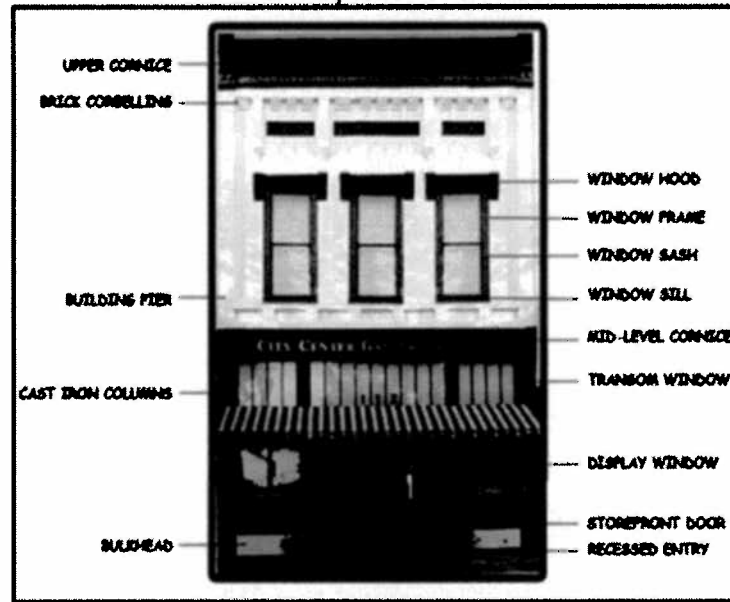
B. Any building renovations or alterations, no matter the planned use for the building, must retain the overall design integrity of the historic building by protecting the original features and materials and respecting the traditional design elements.

C. The renovation or restoration of older structures provides an excellent means of maintaining and reinforcing the architectural character of Walterboro's traditional downtown and should be encouraged. When an existing structure is to be renovated, restored or expanded, care should be taken to complete the work in a manner that respects the original design character of the structure.

D. Preservation of traditional façade elements found in the existing buildings creates patterns along the face of the block that contribute to the overall historic character of the area, whether it is on the main streets or a side street. These elements are:

1. Bulkhead or 'kick plate' as the base in building fronts
2. First floor display windows
3. Recessed or covered central entrance areas or angled entrances on corners
4. Transoms above entrance doors
5. Masonry pier or building frame pilasters
6. Storefront cornice
7. Sign panel area
8. Parapet walls with caps or decorative cornices
9. Vertical window patterns, shapes, and window sills on second floor
10. Occasional window hoods
11. Masonry wall
12. Corbelling
13. Upper Cornice

**FIG. 4.1: FAÇADE ELEMENTS**



E. Do not apply theme designs that alter the original character or architectural style such as coach lanterns to make the building look more Colonial, mansard designs to make the building more Victorian, the use of wood shakes to make it look more ‘arts and crafts’, or anything that cannot be documented historically.

F. Adding more elaborate ornamentation than was originally found on the building façade is typically inappropriate as it renders a false history to the building.

G. It is not the intention to recreate the past if the original building façade does not exist. However, if the original façade had been modified over time, and documentary evidence such as photographs of the original features exists, then our recommended alternative is to restore the façade.

H. Where exact reconstruction is not practical, new, contemporary interpretations of the original details are appropriate as long as the scale and character of the original detail is retained.

I. Brick was the predominant building material used in the Historic Downtown Walterboro area.

#### ***4.7.3.2 Storefront Renovation and Replacement***

A. Storefront renovation and replacement should retain the original materials wherever possible through repair and restoration.

B. If the original material has been covered, uncover if feasible.

C. If portions of the original material must be replaced, use a material similar to the original.

- D. Avoid the use of materials that are not visually compatible with the original façade such as shiny metals, mirror glass, plastic panels, and vinyl windows or doors.
- E. Preserve the original façade materials whenever possible.
- F. Remove metal slip covers when they conceal the original architecture beneath and prevent the horizontal alignment of building elements with adjacent buildings.
- G. Whenever possible, remove any material that conceals traditional façade elements.
- H. Repair, restore, or replace in a manner sympathetic to the style and history of the building.
- I. For most traditional buildings, large panes of glass at the display window level with solid kick plates or bulkhead below are appropriate.
- J. Multi-pane designs that divide the storefront window into small components should only be used if they restore proven historic elements and original openings.
- K. Maintain the original size, shape and proportion of storefronts and openings to retain the historic scale and character of the structure.
- L. Preserve the transom and sign board area features whenever possible.

**FIG. 4.2: STOREFRONT REPLACEMENT**



**4.7.3.3 Window Renovation & Replacement**

- A. Whenever possible, repair, rather than replace existing windows.
- B. If repair is not feasible, and the window must be replaced, match the existing window in terms of size, materials, method of operation and detailing.

C. The window opening itself should be carefully preserved. It should not be made larger or smaller to accommodate a differently sized window.

D. Window materials other than wood may be considered provided they replicate the original shapes, detailing and form of the original windows as closely as possible.

E. If original to the building, shutters may be considered to define the original window proportions.

F. If lowered ceilings are necessary, pull the dropped ceiling back from the window.

G. Wood was the traditional material for windows in Historic Downtown Walterboro. However, other materials such as metal or vinyl-clad windows may be utilized provided they replicate the shape, detailing and form of the original windows as closely as possible.

#### ***4.7.3.4 Door Renovation and Replacement***

A. Maintain original doors and door hardware whenever possible.

B. Repair damaged original doors and door assemblies whenever possible following recognized preservation methods.

C. Retain and preserve the functional, proportional and decorative features of a primary entrance. These features include the door and its frame, sill, head, jamb, moldings, and any flanking windows.

D. If an original door must be replaced, the replacement door should match the original as closely as possible.

E. Doors in additions to existing structures should reflect the proportions, both height and width, of doors in the existing structure and similar structures in the Historic Preservation Overlay.

F. Wood and glass were the traditional materials used for entrance doors in the Historic Preservation Overlay.

G. Original size and proportion of a front door, the details of the door, the door surround, and the placement of the door all contribute to the character of the entrance.

H. While it is appropriate to retain, repair and refinish doors, they shall comply with the requirements of the Americans with Disabilities Act (ADA).

#### ***4.7.3.5 Awnings or Canopy Renovation and Replacement***

A. Original awning hardware should be used if it is in working order or is repairable.

B. Replacement awnings should be designed to fit the storefront opening to emphasize the building's proportions.

- C. Awnings should not obscure or damage important architectural details.
- D. Align awnings with others on the block, particularly to the bottom line of the awning.
- E. Metal awnings or canopies that are similar in form to fabric awnings may be appropriate when designed as an integral part of the building façade and not appearing as tacked-on additions.
- F. Awning color should be coordinated with the color scheme of the building. Solid color awnings should be used on building with intricate and abundant architectural detailing, while striped awnings may be utilized on simpler buildings to introduce color and vitality to an otherwise 'plain' building.
- G. Backlit awnings are not appropriate.
- H. The traditional canvas, slanted awnings were traditionally used in Historic Overlay commercial areas and are most appropriate for older storefronts.

#### ***4.7.3.6 Replacement of Unavailable Components***

- A. Sometimes traditional construction materials cannot be replaced or matched.
- B. Care should be taken to match the original pattern, thickness, color, and texture as closely as possible with available materials.
- C. Repair deteriorated primary building materials by patching, piecing-in, consolidating or otherwise reinforcing the material.
- D. Avoid removing damaged materials when they can be repaired.

#### ***4.7.3.7 Removal of Inconsistent Elements***

- A. Preserve the original façade materials whenever possible and avoid concealing original façade materials.
- B. Avoid the use of materials that are not visually compatible with the original façade, such as shiny metals, mirror glass, plastic panels, and vinyl windows or doors.
- C. Remove metal slip covers when they conceal the original architecture beneath and prevent the horizontal alignment of building elements with adjacent buildings.
- D. Whenever possible, remove any material that conceals traditional façade elements and repair, restore, or replace in a manner that is sympathetic to the style and history of the building.
- E. As brick was the predominant material used in the façade structure of the downtown buildings, avoid covering or replacing the brick with more modern materials.
- F. Vinyl clad windows and doors may be allowed provided they are detailed in a manner that causes them to appear similar to the original.

#### ***4.7.3.8 Painting, Repair, and Cleaning of Existing Structures***

- A. Whenever possible, keep historically unpainted buildings unpainted.
- B. If it becomes necessary to paint a building, the color selected should be coordinated with the color of the buildings to the property's right and left.
- C. It is appropriate to paint the cornices, window trim, window hoods, and bulkhead of the façade in a different color from the wall of the building.
- D. Utilize historic and compatible paint colors when painting a storefront façade.
- E. Address maintenance issues to the wall materials prior to painting.
- F. Abrasive methods such as sandblasting are inappropriate, as they permanently erode building materials and finishes and accelerate deterioration.
- G. If cleaning is to be considered, use a low-pressure water wash and mild detergent. Chemical cleaning may also be considered if a test patch is first reviewed and negative effects are not found.
- H. Repair deteriorated primary building materials by patching, piecing-in, consolidating or otherwise reinforcing the material.
- I. Avoid removing damaged material when they can be repaired.
- J. If masonry has been painted; it may be preferable to continue to repaint it, because paint removal methods may cause damage to the building materials and finishes.
- K. Waterproofing and graffiti proofing sealers should be used after cleaning and repair.

#### ***4.7.3.9 Additions to Existing Structures***

- A. New additions should be interpretations of the existing buildings whereby the architectural characteristics of the existing structure are incorporated using modern construction materials and methods. Examples: the extension of architectural lines from the existing structure to the addition; repetition of window patterns and entrance spacing; use of harmonizing colors and materials; and the inclusion of similar, yet distinct, architectural details.
- B. New additions should be designed so that if the addition were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.
- C. Minor additions, such as decks and stairs should use similar materials, design, and colors to the original building and should occur in areas not visible from the street.
- D. Additions to existing structures within the overlay district are appropriate as long as they do not destroy traditional features, materials, and spatial relationships that are significant to the original building and site.



E. New additions must be distinguishable from, yet compatible with, the overall architectural character of the Historic Preservation Overlay commercial area.

F. It is normal for buildings to evolve over a period of time as additional space is needed or new uses are accommodated. Architectural details to be considered include window/door trim, lighting fixtures, tile/brick decoration, decorative cornices, storefront cornices, display windows, the bulkhead and transom over the door and windows.

G. In other words, all aspects of new construction that are visible from public streets will be reviewed.

#### ***4.7.3.10 Demolition & Relocation***

A. If an existing building's condition is deteriorated such that rehabilitation is technically infeasible, a request for demolition may be considered.

B. If public safety is threatened interim steps may be taken to close and stabilize the structure.

C. Any application for a demolition shall include plans for the re-development of the site after demolition.

D. It is the responsibility of the property owner to demonstrate that rehabilitation is not appropriate and demonstrate a clear plan for the re-use of the site and any related new construction after demolition.

#### **4.7.4 New Structures**

A. New buildings should be designed so that they are similar in mass, scale, rhythm, design, materials, and orientation to surrounding buildings.

B. New buildings should be oriented close to the street and in line with adjacent buildings.

C. Window and door patterns that are symmetrical and reflect the historic patterns found in existing buildings should be used.

D. Infill buildings should not be constructed closer than five (5) feet from a wall with an existing functional window or doorway on the side of an adjacent existing building.

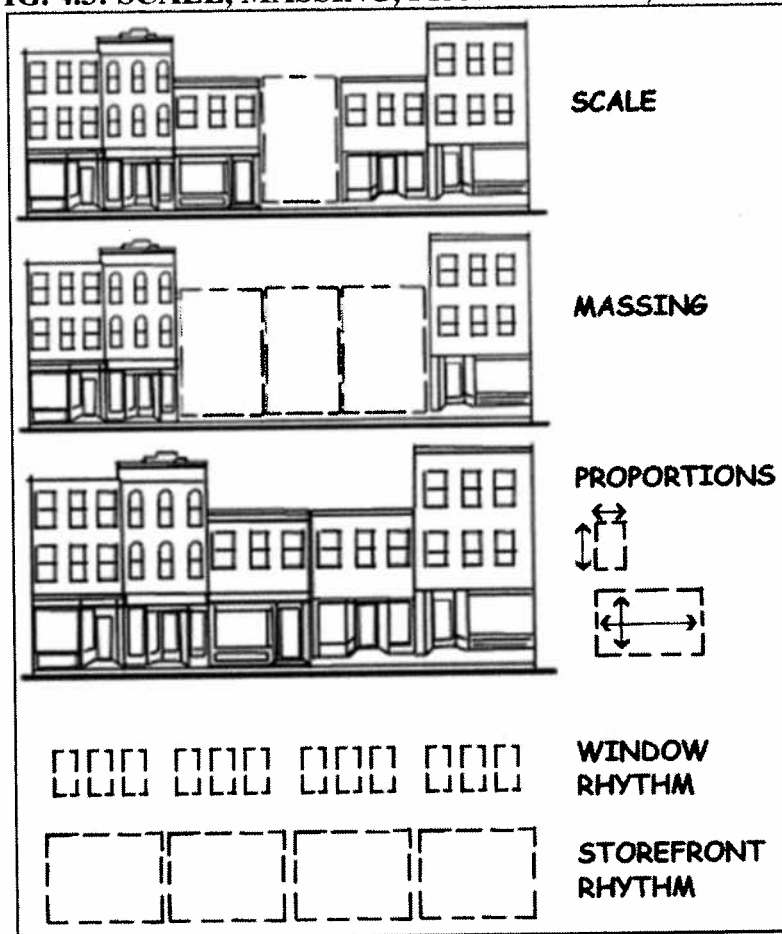
E. Whenever an infill building is proposed that is much wider than the typical facades on the street, the new building façade should be broken down into a series of appropriately proportioned 'bays.'

F. Historic styles should not be copied. Each building should be a product of its own time. Contemporary design that is in context with surrounding buildings and is complementary in mass, scale, design, and materials is more appropriate.

G. Wherever possible, architectural elements on new structures should align with architectural elements on adjacent existing structures. Some façade elements that typically align with adjoining buildings include:

1. Building kick plates or bulkheads
2. The top and bottom heights of first floor display windows
3. Transoms above entrance doors
4. Storefront windows
5. Awnings & canopies
6. Upper-story window openings and styles
7. Sign band above the street level
8. Parapet and cornice line
9. Window sills on upper floors
10. Roof lines

**FIG. 4.3: SCALE, MASSING, PROPORTIONS, RHYTHM**



H. The wall materials of new structures should be selected to coordinate with neighboring structures and the overall context of the commercial area. The following wall materials are generally inappropriate:

1. Coarsely finished, 'rustic' materials, such as wood shakes, shingles, or plywood

2. Corrugated metal
3. Stucco surfaces, especially synthetic stucco applications
4. Metal slipcovers
5. Residential-type sliding glass doors
6. Imitation wood or stone siding
7. Plastic molded imitations of any conventional building material
8. Mirror or metalized reflective glass

I. Accent materials should be similar in texture and scale to others in the district. These include, but are not limited to:

1. Brick and stone masonry
2. Wood details such as windows
3. Clear or lightly tinted glass
4. Ceramic accent tiles
5. Concrete and stone as lintels and wood or concrete columns

J. Windows and doors in new structures should be compatible in proportion, shape, location, pattern, size, and material with windows and doors of the characteristic structures in the commercial area.

K. Colors that are used on new commercial buildings should be coordinated with adjacent structures.

L. The preferred base colors used on new buildings should be the natural color of the material in the case of brick or stone, of a neutral muted palette or pastels and whites. Deep saturated hues may be used as accents or trim. Brighter, more vivid colors including but not limited to primary colors should be reserved for limited use (no more than 10% of a façade area) as trim or accents. No fluorescent, day-glow, neon, or reflective colors should be used in the construction of a new building.

M. Awnings should be designed to fit the storefront opening and emphasize the building's proportions and should not obscure or damage important traditional architectural details. Awnings should be aligned with other buildings on the block if at all possible, especially the bottom edge. The top edge should be aligned with the top of the transom. In general, solid color awnings should be used on building with intricate and abundant architectural detailing, while striped awnings might be utilized on simpler buildings to introduce color and vitality. Metal canopies that are similar in form to fabric awnings may be appropriate when designed as an integral part of the building façade and not appearing as tacked-on additions.

#### **4.7.5 Site Design**

A. New construction and infill buildings should maintain the alignment of facades along the sidewalk edge. Exceptions may be granted if the setback is pedestrian-oriented and contributes to the quality and character of the streetscape such as a park or outdoor dining space.

B. In instances where a building has been removed, consider utilizing other devices such as landscaping, sculpture, wrought iron fences, arches, etc. to maintain the continuity of the building line.

C. Buildings should be oriented so as to engage and maintain pedestrian interest. Storefronts should be designed to orient to the major street frontage. While side or rear entries are also encouraged, a predominant building entry should be oriented toward the dominant pedestrian route.

D. In cases where the functional entry might be to the side or rear of the building such as a hotel with a drop-off area, a physical gesture of entry should still be considered along the major street frontage. Buildings on corners should include entry design features that address both street frontages.

E. Maintain the established pattern of medians, street trees, and street furnishings in the commercial areas. When a tree must be removed, or where there is a gap in the rhythm of street trees, install new street trees in locations that continue to express the established rhythm.

F. Maintain alley access for pedestrians and automobiles yet retain the character of alleys as clearly secondary access to properties. Retain and preserve the variety and character found in the existing rear access to buildings along the alleys.

G. Incorporate pedestrian-scaled street lighting and accent lighting to highlight the building and alleyway entrances.

H. Service equipment, trash receptacles, or any similar element should be screened from view.

I. Fence railing designs should reflect an open, transparent feeling while visually closed-in fences and railings prohibit views into the public space and are generally not appropriate. Materials such as metal rails and posts, stone or brick piers, and wood may be used. Decorative elements incorporated into the railing design are encouraged. Generally, metal surfaces should have a black finish although colors that are incorporated as part of a coordinated color plan for the building, or that are used characteristically throughout commercial areas, may be considered. Chain link, ropes, chains, and unsupported railings are unacceptable materials.

**DONE**, this 22<sup>nd</sup> day of July, 2014.

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William T. Young, Jr.  
Mayor

Attest:

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Betty J. Hudson  
City Clerk

First Reading: June 24, 2014  
Public Hearing: July 22, 2014  
Second Reading: \_\_\_\_\_



July 15, 2014

Walterboro City Council  
242 Hampton St.  
Walterboro, SC 29488

Attn: Jeff Molinari, City Manager

Dear Council,

We are well along in our planning for the 2<sup>nd</sup> Annual Ireland Creek Bridge Run, September 4, 2014. We look forward to another successful event. Last year our fundraising efforts benefitted many organizations in Walterboro.

There are several items which we need City Council to approve and we ask that you include them on your agenda for the next City Council meeting.

They are as follows:

- Close one side of Ireland Creek Rd. and Ivanhoe Rd. between Washington Street and Forest Hill Rd. Thursday September 4<sup>th</sup> from 5pm until 7pm.
- Reserve Picnic area on Ireland Creek September 4, 2014, 1-9pm (tent and tables)
- Allow for event directional signs to be placed where appropriate in the City September 4, 2014. Signs will be 18"X24".
- Provide police escort for Runners/walkers Thursday September 4, 6:00pm

On behalf of the Walterboro Rotary Club, we thank you for your continued support and encouragement. If you have any questions regarding the above please do not hesitate to call me.

Thank you again,

A handwritten signature in black ink, appearing to read "Gale Doggette".

Gale Doggette  
843-217-0421