

# UPTOWN



a publication of the Municipal Association of South Carolina

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**Cover Photo:** In 2024, River Drive in Columbia's Earlewood neighborhood became home to the city's first buffered bicycle lane.



# Ethics Rules

## Public Service Income and Benefits

The task of completing a South Carolina Statement of Economic Interests can be daunting. Many officials are concerned about making errors in the process and incurring fines as a result.

SEI forms are due each year by electronic filing on March 30 by noon. Find the form and other guidance information online at [www.ethics.sc.gov](http://www.ethics.sc.gov). Once the forms become overdue, fines for not filing them can increase daily until they hit maximum amounts.

The list of those who must complete an SEI form include all municipal elected officials, candidates for municipal office, chief administrative officers regardless of the name of the position, including city administrators or city managers, and including those who serve water and sewer districts. It also includes chief financial and procurement officers, or similarly titled positions. In addition to reporting their income, they must report income of members of their immediate family, such as spouses, children who reside in the household or anyone claimed as a dependent.

Failing to file or intentionally misrepresenting information is a misdemeanor and could result in a fine, jail time or both. Officials who discover errors or omissions after filing should amend filing as soon as possible. Officials can amend their SEI forms online at any time.

Income and benefits that SEI filers receive are among the economic interests they must report, alongside other types of interest, such as real estate or business relationships.

### Private income

SEI filers must report the source, such as salary or wages, and type of any private income they received in the previous

year, or received by a member of their immediate family. They must also report any transaction — including a sale, lease or contract — where they gain an economic benefit of \$50 or more.

### Income and benefits through public service

The income amount to give will generally be the same as the income stated on the W-2 issued by the municipality.

Officials who receive additional benefits, such as personal use of a publicly owned vehicle, a car allowance or an expense allowance of any kind, such as a cell phone allowance, they must add the value of this benefit to the total income and benefits reported. The municipality should issue a Form 1099 showing the value of the benefits for tax purposes.

The value of fringe benefits offered uniformly to all employees and officials of the municipality, such as contributions to health insurance, retirement and supplemental insurance, does not have to be reported. Filers who receive a higher benefit level or additional benefits, must report the difference between the benefit given to all employees and the value of their benefit.

Reimbursement for actual incurred expenses while performing as a public official or employee is not considered income and does not have to be reported. Officials who receive a per diem must provide the municipality with supporting documentation for expenses and return unspent money.

**Statement of Economic Interests forms are due by electronic filing March 30 at noon.**

# Get Your 2025 Achievement Award Entries in by February 5



## NEWS BRIEFS

The SC Municipal Human Resources Association elected its 2025 board of directors. They are **Lynn Smith**, City of Conway; First Vice President **Mark Putnam**, City of Mauldin; Second Vice President **Patrice Mattison**, City of Anderson; and Member at Large **Deana Kever**, City of Rock Hill.

Municipal Association of SC Executive Director **Todd Glover** was elected to serve on the board of directors of the National League of Cities.

**T**he deadline for the Municipal Association of SC 2025 Achievement Awards is Wednesday, February 5.

The awards provide a way to showcase the hard-to-see projects that local governments undertake to make their operations run smoothly and enhance their communities. The awards recognize excellence in local government programs and help share ideas among municipal officials and staff.

## Categories

The Municipal Association accepts award submissions each year in a population category or one of five subject categories:

- Communications
- Economic Development
- Public Safety
- Public Service
- Public Works

Municipalities with a population of 20,000 or fewer — as counted in the 2020 census data — can compete in either a population or subject category. There are four population categories:

- 1 – 1,000
- 1,001 – 5,000
- 5,001 – 10,000
- 10,001 – 20,000

Municipalities with a population greater than 20,000 can compete only in one of the five subject categories. Each city or town can only submit one entry and select one category.

Projects need to be substantially complete to be eligible and can be submitted only one additional time if they do not win.

## Applications

Find the awards application at [www.masc.sc](http://www.masc.sc) (keyword: achievement awards).

Cities submitting in the subject categories must make an oral presentation at an assigned time on February 24 or 25. The Municipal Association will recognize award winners at the Annual Meeting in July.



*The City of Abbeville won a 2024 Achievement Award for its ongoing capital improvement plan, replacing and upgrading everything from water to sewer, stormwater and electrical lines.*



*The 2024 Achievement Award for the City of Fountain Inn recognized its work to revitalize Sanctified Hill Park in the city's historically Black community, reversing a history of neglect.*

# Community at the Core

*Downtown Transformations in Gaffney, Mullins and Clinton*

**A**cross South Carolina, many small cities and towns are incrementally transforming their downtowns through a comprehensive approach — the Main Street Approach. Historic buildings are being restored, communities are uniting and visionary plans are taking shape.

Gaffney, Mullins and Clinton, as Friends-level members of the Main Street South Carolina network, exemplify how collaboration, persistence and innovation strengthen historic commercial districts.

## Gaffney: Balancing history and innovation

Gaffney is proving that downtown revitalization can harmonize history with innovation.

“Our focus is on small, consistent wins that build momentum,” said Kelly Curtis, Gaffney’s Main Street Director. “Visible change inspires interest, hope and investment in what’s ahead.”

Seasonal events like Food Truck Fridays have ignited steady foot traffic, drawing both locals and visitors downtown. Long-standing partners like the Business Generator, also known as BGEN, have further fueled Gaffney’s resurgence by supporting budding entrepreneurs with mentorship and affordable space.

Recently, a specialty candy shop and a boutique featuring personalized jewelry and clothing have found success through the program, bringing new energy downtown.

These efforts are amplified by Downtown Gaffney’s strong social media presence, which showcases offerings in the historic district. Plans for redeveloping a historic multi-story building into upper-floor apartments are also underway, positioning downtown Gaffney as a prime residential destination.

## Mullins: Adapting and thriving

With a legacy of resilience, Mullins has consistently overcome challenges and embraced new opportunities. Historically known for its tobacco farming, vineyards and manufacturing, the town is now attracting a new wave of residents drawn to its strong sense of community.

Recent investments, such as the \$2.5 million Old Brick Square Park and Marketplace, have revitalized public spaces. A \$75,000 facade improvement program has transformed downtown storefronts, demonstrating Mullins’ ability to maximize partnerships and resources for meaningful impact.

Guided by Main Street principles, Mullins prioritizes comprehensive strategies that place community engagement at the forefront. Despite challenges like aging infrastructure, collaboration among businesses, residents and the downtown development team drives steady progress.



*Gaffney is one of the 17 cities and towns now participating in Main Street SC at the Friends level. Photo: City of Gaffney.*



*Mullins’ Main Street is home to many of the city’s community events. Photo: City of Mullins.*

“Downtown Mullins is more than a location — it represents our history and culture,” said Ogie White, Mullins special projects coordinator. “By investing in its future, we’re strengthening the entire community.”



Downtown Clinton plays host to the city's Christmas events.  
Photo: City of Clinton.

## Clinton: Rising from adversity

In Clinton, the Main Street program has faced adversity head-on, tackling challenges such as a recent devastating fire in the downtown district, hurricane damage and shifts in city leadership. With a commitment to relationship-building and creative problem-solving, the program has made steady progress in downtown revitalization.

“We always strive to find creative ways to say ‘yes’ to opportunities,” says Jim Spry, Main Street Clinton executive director.

A notable initiative is the creation of a shared retail space that offers small businesses an affordable option of pooled resources. This model enables multiple tenants, including the Main Street program, to share rent and utilities in a space that would otherwise be too large for any one business.

Clinton is also on the cusp of several transformative projects, including a new residential complex at a prominent downtown gateway. This project will address housing shortages while enhancing the town's appeal and positioning it for future expansion.

## A shared vision for the future

Gaffney, Mullins and Clinton exemplify how small towns navigate the complexities of downtown revitalization. These efforts are not quick fixes but long-term commitments requiring strategic planning, dedicated leadership and active community participation.

*Main Street South Carolina is a technical assistance program that empowers communities as they revitalize their historic downtowns, encouraging economic development and historic preservation. Learn more at [www.masc.sc](http://www.masc.sc) (keyword: Main Street).*

Main Street SC offers several levels of participation to accommodate communities at different stages of their downtown revitalization process:

- **Accredited Main Street** programs meet rigorous national standards of performance annually. These high-performing programs have a proven record of success in planning, implementing and measuring results that align with the Main Street Four Point Approach.
- **Classic Main Street** is a more engaged level where programs have a full-time Main Street director and active volunteers. They continue growing their programs while developing partnerships to implement transformation strategies and achieve the status of an Accredited Main Street program.
- **Aspiring Main Street** communities complete a three-year asset-based strategic planning process to integrate the Main Street Approach into their district, which includes developing communication and action plans. After three years, these programs move into the Classic Level to continue implementing Main Street strategies.
- **Friends of Main Street** are learning how to use the Main Street Approach. This level provides access to Main Street SC and Main Street America resources while growing their capacity to guide downtown revitalization. While there is limited hands-on technical assistance at this level, Friends attend quarterly trainings, have access to phone consultations and connect to the statewide Main Street network.

Applications are required to join at each level and must demonstrate a commitment from both the community and the municipality for funding, support and a plan for continued implementation of the Main Street Approach. Learn more at [www.masc.sc](http://www.masc.sc) (keyword: Main Street).

# Recent Laws Impact Carrying Concealable Weapons on Public Property

In recent years, the South Carolina General Assembly has repeatedly amended the laws on carrying concealable weapons, through both the Open Carry with Training Act of 2021 and the South Carolina Constitutional Carry/Second Amendment Preservation Act of 2024.

## Basic rules

State law previously required that a person hold a concealed weapons permit to carry a concealable weapon. Until 2021, a CWP holder could carry only concealed weapons, but the Open Carry with Training Act, allowed CWP holders to openly carry concealable weapons. In 2024, the General Assembly amended the law again so that individuals not otherwise prohibited from possessing a firearm may legally carry a firearm — either openly or concealed — without a CWP or any other required training.

## Public buildings

State law lists several places into which concealable weapons may not be carried. For municipalities, the most relevant provisions prohibit the carrying of firearms in these locations:

- A “courthouse, courtroom, or other publicly owned building ... where court is held and during the time that court is in session,” – SC Code Section 16-23-20(a)(2)
- The “office of or business meeting of the governing body of a ... municipality,” – SC Code Section 16-23-20(a)(4)
- “[A]ny premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property,” – SC Code Section 16-23-420

Taken together, these provisions generally prohibit the carrying of firearms in any publicly owned building. The

Attorney General’s office has interpreted these provisions to apply only to buildings, and not to other property or premises such as public parks, parking lots or parking garages.

## Permitted events

The Open Carry with Training Act, in SC Code Section 23-31-520, provides that municipalities “may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event.” The Attorney General’s office has construed this provision narrowly. As read by the Attorney General’s office, local governments may restrict open carrying of firearms on public property — other than in a building — only during permitted events, and may not restrict concealed carrying even during such events.

When municipalities choose to restrict the open carrying of firearms at an event, they must post signage indicating that open carrying is prohibited.

## Places of employment

A separate provision of law, in SC Code Section 23-31-220(a)(1), preserves “the right of a public or private employer to prohibit a person who is otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or workplace or while using any machinery, vehicle, or equipment owned or operated by the business.”

To exercise this right, the local government must post a sign reading “NO CONCEALABLE WEAPONS ALLOWED,” subject to additional requirements that the sign must

- be clearly visible from outside the building;
- be 8 inches wide by 12 inches tall in size;



- contain the words "NO CONCEALABLE WEAPONS ALLOWED" in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a 45-degree angle from the horizontal; and
- be placed not less than 40 inches and not more than 60 inches from the bottom of the building’s entrance door.

## Signage for government buildings

Given that state law prohibits the carrying of a firearm into any publicly owned building or into the “office of or business meeting of the governing body” of a local government, it is not legally required to post signage on such buildings to prohibit the carrying of concealable weapons, as is required for places of employment other than public buildings that want to restrict concealable weapons.

Even so, many local governments have chosen to post such signs on their buildings, and this practice brings several benefits. Signage serves both to remind those carrying firearms of the law, and to reassure the public and government employees that concealable weapons will not be present in the building.

# Act 176 Sets Requirements for Business License Appeals



**M**unicipalities and counties across South Carolina are now in their third license year under the South Carolina Business License Tax Standardization Act, or Act 176.

After the law's passage in 2020, the initial efforts of local governments focused on conforming their business licensing practices to the law's requirements. With those initial hurdles cleared, many are now focusing on specific areas of application and enforcement, such as assessments, denials, suspensions and revocations. This shift highlights the need for municipalities to develop comprehensive rules of procedure and evidence for handling business license appeals.

Both Act 176 and the model business license ordinance created by the Municipal Association of SC require appeal hearings in certain circumstances, but neither source sets procedures or evidentiary rules for the conduct of the hearing. Act 176 does specify the process for assessments, which can guide other appeal proceedings. This process does not control other enforcement areas, however. Local governments should develop and adopt procedures and rules of evidence for the administration of appeals hearings.

## Hearings on business license appeals

For assessment appeal hearings, Act 176 mandates the right to representation by counsel, presentation of testimony and evidence, and cross-examination of witnesses. To make sure that the local government provides due process to all taxpayers, it should incorporate these rights into all procedures and rules of evidence that it adopts.

Here are some other aspects that should be addressed:

- **Notice requirements** – Provide clear guidelines on how to serve notices of denial, suspension or revocation, which can make sure all parties receive timely and adequate notifications. Local governments should rely on a method that provides proof of service.
- **Hearing officers** – Designate the individual or the body to oversee the general adjudication of the hearing. The city or town council may serve in this role, but in smaller

municipalities issues may arise where hearing officers are required to provide testimony based on their role in administering the business license program.

- **Admissible evidence** – Specify the types of evidence that can be presented in a hearing. To make sure that taxpayers receive due process, local governments should err on the side of including evidence. Though general objections for relevancy may be appropriate, it is typically advisable to not require strict compliance with the South Carolina Rules of Evidence. Any contested question of relevancy should be construed in favor of the taxpayer.
- **Hearing procedures** – Outline the hearing's format, including the order of presentations, time limits and opportunities for cross-examination. Note that all deliberation should occur in open session, so long as the confidentiality of protected information shall be maintained.
- **Decision-making process** – Establish how the hearing body will reach its decision and how that decision will be communicated to the parties. The local government should also make provisions for the drafting and delivery of a final written order.

## Standardized rules of procedure and evidence

By proactively developing and adopting clear rules of procedure and evidence, local governments can navigate the complexities of business license appeals effectively and provide due process for all parties involved. This approach ultimately fosters transparency, consistency and equity, benefiting both the local government and taxpayers.

The Municipal Association has drafted standardized rules of procedure and evidence for appeals. Copies are available upon request from either the Association's General Counsel Eric Shytle at [eshytle@masc.sc](mailto:eshytle@masc.sc), or Associate General Counsel Sara Weathers at [sweathers@masc.sc](mailto:sweathers@masc.sc).

*Find the SC Business License Handbook at [www.masc.sc](http://www.masc.sc) (keyword: business license handbook).*



# Follow the Law on Audits and Financial Statements

**A**udits and Local Government Finance Report submissions are key aspects of the financial reporting that municipal governments must complete each year.

A municipality's annual audit includes all its financial records and transactions, as well as those of any agency it funds in whole or in part. The city or town engages an independent auditor to create the audit by gathering appropriate evidence. The auditor then tests, compares and confirms its information so that it can provide greater confidence to stakeholders — such as residents and creditors — in the city's financial statements.

## Audit and compilation of financial statement requirements

SC Code Section 5-7-240 creates numerous audit requirements for municipalities with total recurring revenue greater than \$500,000. Within 30 days of the beginning of the city's fiscal year, the council must designate an independent certified public accountant or accounting firm to audit all its financial statements.

The city is not required to seek competitive bids for this work. However, using a request for proposals process is valuable in defining expectations for the auditor, including their qualifications, knowledge of governmental auditing standards and the timeframe of the auditing process.

The city may not designate an accountant for a period any longer than four years, although it may renew the designation with a particular accountant after the four-year period. Even so, rotating auditors helps ensure that the municipality's finances are examined from multiple perspectives.

Because the cost of an audit was unfeasible for the budgets of some small municipalities, the General Assembly passed Act 71 in 2023. The law allowed cities and towns with recurring revenue of less than \$500,000 to provide a compilation of financial statements instead of a full audit. This new rule is effective for fiscal years beginning no earlier than January 1, 2024. Municipalities with a court system must submit these compilations of financial statements annually, and those without a court system must do so every three years.

Each year when the council reviews and accepts the audit or compiled financial statement, it must make this document

available for public inspection. Cities with websites often post them there.

Cities must also submit the annual audit or compiled financial statement to the Office of the State Treasurer by the 13th month after the end of the city's fiscal year, or the city's share of state revenues may be withheld, including funding through the Local Government Fund and any local option sales tax funds. The State Treasurer posts a list of municipal delinquent audits at [www.treasurer.sc.gov](http://www.treasurer.sc.gov).

Cities also must submit the annual audit to any creditors, banking institutions and other agencies that require continuing financial disclosures.

## Audits versus regular bookkeeping

City councils have the ultimate responsibility for their financial controls, such as making sure that monthly financial statements are prepared, and the information is accurate. They engage the independent auditor to give an opinion on whether financial statements are presented correctly and free of significant misstatements.

Auditors cannot prepare statements themselves, as this would interfere with their independence. City staff and officials must be the ones to initially enter data, reconcile bank statements and prepare financial statements, and if they do not, then the city must engage another accountant to do so.

## Local Government Finance Report requirements

Cities and towns must also submit the Local Government Finance Report to the SC Department of Revenue and Fiscal Affairs, due by March 15. The online report is available through [www.rfa.sc.gov](http://www.rfa.sc.gov). Municipalities that do not submit this report on time face the penalty of losing 10% of the municipality's share of the Local Government Fund.

*Learn about municipal financial administration, including budgeting, audits, cash flow and debt, in the Handbook for Municipal Officials in South Carolina at [www.masc.sc](http://www.masc.sc) (keyword: officials handbook).*



# Be Prepared for Chemical Burns



**M**any types of local government employees may work with chemicals capable of causing chemical burns, making these injury types an important consideration for any risk management program.

While burn injuries are most commonly associated with heat or flames, they can come from chemicals as well, when a caustic material contacts the skin, damaging it and possibly the tissue beneath the skin.

Most of the chemicals that can cause burns are strong acids or strong bases, with acids having the strongest potential to burn skin. Some typical sources of chemical burns are vehicle battery acid, bleach, drain cleaner, paint thinner, gasoline, ammonia, chlorination products and cement. The most common body parts to suffer chemical burns are a worker's face, arms or legs.

Appropriate procedures and employee training can help prevent these burn injuries.

## Preventing chemical burns

The Occupational Safety and Health Administration requires employers to provide information about the identities and hazards of chemicals available to workers. This includes communicating the appropriate measures to protect employees, such as personal protective equipment, or PPE, that should be worn when using certain chemicals.

One critical step in preventing chemical burns is storing chemicals properly and safely. Chemicals need to be kept in their original and properly labelled container. OSHA maintains a Hazard Communication Standard, found at [www.osha.gov/hazcom](http://www.osha.gov/hazcom), which requires employers to make Safety Data Sheets available to all workers whose work involves exposure to a particular hazardous chemical. These documents have 16 sections, including several focused on injury prevention:

- Chemical identification and hazard identification
- Ingredient information
- Instructions for handling and storage
- Physical and chemical properties, as well as stability and reactivity
- Exposure controls, including PPE

## First aid

Chemical burns are considered serious or deep injuries, needing immediate emergency care, in several cases:

- The burn is at least 3 inches across, or is very deep.
- The burn involves the face, eyes, groin, hands, feet, buttocks or a major joint.

Safety Data Sheets cover first aid measures for hazardous materials in their fourth section. In most cases, whether a chemical burn is serious or minor, the chemical agent involved should be flushed off of the skin with large amounts of cool, gently running water for at least 10 minutes. The person administering the first aid should be mindful to use appropriate PPE when flushing the chemical. Any piece of clothing or jewelry should be flushed with water before removing it from the injured person.

Most chemical burns can be treated without causing long-term problems. Some burns, however, can be more serious and require more substantial treatment. Having procedures in place, conducting proper employee training and wearing the right protective clothing will help prevent chemical burns.

# Association Highlight:

## *Comprehensive Planning Guide for Local Governments*

**T**he *Comprehensive Planning Guide for Local Governments*, a publication of the Municipal Association of SC, explores the comprehensive plan process. It explains how planning commissions can develop and revise the 10 required elements of a comprehensive plan, and how councils should adopt it. The handbook also describes the organizational structures and functions of planning commissions and boards of architectural review as well as the process of crafting a comprehensive plan.

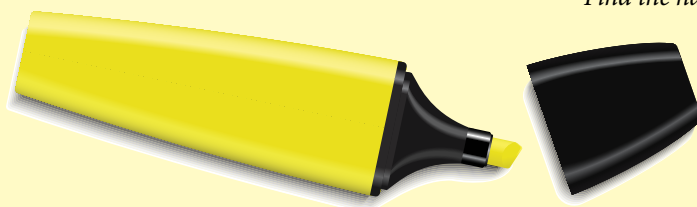
The guide helps explain South Carolina's Comprehensive Planning Enabling Act, which requires those municipalities who want to implement a planning program to do so as long as they operate a planning commission. This commission is responsible for developing a comprehensive plan, specifically addressing the 10 planning elements in ways that best meet their community needs.

For each element, the law specifies that the planning process should include an inventory of existing conditions, a statement

of the local government's needs and goals and implementation strategies with timeframes. The 10 elements are these:

- Population element
- Economic development element
- Natural resources element
- Cultural resources element
- Community facilities element
- Housing element
- Land use element
- Transportation element
- Priority investment element
- Resiliency element

Find the handbook at [www.masc.sc](http://www.masc.sc) (keyword: *planning guide*).



# Municipal Association Offers Required Planning and Zoning Training

**S**tate law requires every board, committee and commission appointee involved with local planning and zoning to complete mandatory training sessions. The requirement applies to all planning-related staff members as well.

Officials who do not fulfill this requirement can face removal from their position. Boards or commissions with untrained members can also open the city or town to legal challenges of their decisions.

The Municipal Association of SC offers an online version of the six-hour orientation course, approved by the SC Planning Education Advisory Committee, to help officials fulfill the training

requirement. There is no charge for the training, and no need for in-person proctors or facilitators.

The online training consists of six, one-hour sessions that teach the tools necessary for officials and staff to perform their duties effectively. It includes video exercises to complete using the *Comprehensive Planning Guide for Local Governments*, knowledge-check quizzes and other reinforcement activities.

Each session provides its own completion certification. After participants complete all six one-hour sessions, they can view and print a certified transcript to submit to the municipal clerk, verifying their completion of the entire course.

State law also requires officials to complete three hours of continuing education training each year to remain compliant. The SCPEAC approved several of the Municipal Elected Officials Institute of Government courses to count toward this requirement:

- "Forms of Municipal Government"
- "Municipal Economic Development"
- "Freedom of Information Act in SC"

The SC Association of Counties developed videos that can count toward the requirement as well.

Learn more about available planning and zoning training, as well as other resources, at [www.masc.sc](http://www.masc.sc) (keyword: *planning and zoning training*).

# Traffic Calming Supports Pedestrian and Cyclist Safety



*Goose Creek's traffic calming efforts have included speed humps in residential areas. Photo: City of Goose Creek.*

**F**rom a pedestrian perspective, the issue of slowing vehicle traffic on roads can be a life-or-death consideration. The chance a pedestrian would survive being hit by a car traveling at 20 miles per hour is 95%. If the car is driving at 40 miles per hour when it strikes a pedestrian, the survival chance is reduced to 20%.

“It’s amazing how much of a difference it makes to have slower traffic in areas where you have more pedestrians,” said Lucinda Statler, planning administrator for the City of Columbia. “[Traffic calming] is critically important for the safety of our users and to make people feel safe so that they’ll be willing to walk more places.”

As communities grow and residents and visitors look for more options to walk and bike, cities and towns are tackling ways to slow the vehicles driving through business districts and neighborhoods.

In Columbia, housing is popping up around the downtown area and more than 30,000 students now attend the University of South Carolina, making the city more densely populated.

“We are trying to become more multi-modal, especially in the denser parts of town where it makes sense,” Statler said. “That means providing facilities for pedestrians and cyclists.”

It’s a challenging issue. The City of Columbia is going through a downtown strategic planning process, partly focusing on how it manages its sidewalk space. Creating a more pedestrian-friendly environment involves providing more space for walkers and more trees. It also involves establishing bump-outs on curbs that make crossing at an intersection shorter, and providing a median or cutout on a wide street, offering a stopping place for pedestrians who don’t make it all the way through a busy intersection.

“It’s about helping connect the city at a pedestrian level so that people are not just able to walk, but want to walk,” she said. “And we don’t want you to feel like you’re having to play ‘Frogger’ when you are trying to cross a street.”

The process involves both small changes that private development can make and large streetscape projects, which, in Columbia, are mostly funded by the SC Department of Transportation and Richland County penny tax proceeds. The city works with those agencies to try to ensure that plans consider the city’s suggestions about creating a better pedestrian environment.

One of those projects that was recently completed in the city is the River Drive bike lane, which is the first buffered bike lane in Columbia. The project came about because of communication between the city and SCDOT, which gives the city a list of roads it plans to repave. River Drive, a thoroughfare that the city had targeted for a bike lane, was on the list to be repaved, and the early notice gave Columbia time to engage in public outreach and prepare residents for the changes that a bike lane in front of their homes can bring.

Much larger projects are also underway in the city, including major changes in the Five Points shopping and entertainment district, along with a transformation of South Main Street near the capitol and USC.

In Five Points, long-considered one of the more dangerous parts of the city for bicyclists and pedestrians, the number of lanes has been reduced to slow vehicles driving through the area, and brick medians have been placed to discourage people from crossing in the middle of the blocks. On Devine Street, traffic was reduced from four lanes to three between Saluda Avenue and Harden Street, while the main thoroughfare of Harden Street will change from four lanes to two between Devine and Blossom streets.

## Special Section **Planning and Zoning**

A few miles away on South Main Street, the four-lane road that ran from the State House through an area primarily made up of the USC campus to Blossom Street, is being changed to one lane in each direction along with a center turn lane. The project, which also included rebuilding underground utilities and moving the power lines below ground, leaves room for much wider sidewalks and a physically separated bike lane.

“That’s going to be a really nice streetscape right in front of the capitol and in the heart of the university,” Statler said. “It’s such a great opportunity from a location standpoint for pedestrians and for developments to have active frontages.”

Other plans in the early stages include addressing the substantial width of pedestrian crossings on the heavily traveled Assembly Street. Statler said planners, the public and consultants have long agreed on the need for pedestrians to be able to safely cross Assembly, a main thoroughfare that separates downtown and the Vista entertainment district. One of Columbia’s busiest intersections, Gervais and Assembly streets, will be part of the new plans.

Years ago, Columbia partnered with the Central Midlands Council of Governments to create the Walk Bike Columbia master plan, which was adopted in 2015. The council of governments involvement lent a high level of legitimacy to the plan and allows for strong coordination with SCDOT for road projects in the city.

In the City of Goose Creek, the Neighborhood Traffic Calming Program focuses on installing speed humps to slow vehicle traffic in residential areas, said Alexis Kiser, the city’s special projects manager.

“City council adopted the traffic calming measures program after feedback from our residents that certain neighborhoods have issues with speeding due to the street network creating cut-through roads,” Kiser said. “Staff began discussions with Berkeley County and [SCDOT], both of which own and maintain roads in the city, to learn how to create a policy that was in alignment with their current requirements for traffic calming measures.”

Neighborhood associations or groups of residents can complete an application request for a speed hump. If the road is maintained by SCDOT, 75% of the residents in the project area must sign a petition sheet for approval, while if the roadway is maintained by Berkeley County, 85% of residents in the area need to sign the petition. Privately maintained roads are not eligible for the program.

Kiser said traffic calming measures are essential for cities because they enhance road safety for cars and lower the risk and severity of accidents for walkers, cyclists and other drivers.

“They help create a more pleasant and livable environment by reducing noise and pollution levels in neighborhoods,” she said. “Additionally, traffic calming can encourage more walking and cycling, supporting community health and sustainability goals.”

Kiser said the reaction from the community has been positive, with several individuals and homeowners associations submitting requests for information and collecting the required signatures.

The City of Goose Creek funds the traffic calming measures program through the general fund with assistance from Berkeley County Council and allocations from the state. It has funded one project a year since the program started.

Kiser said municipalities considering similar programs should be transparent with residents about what roads may or may not be eligible because of county and state regulations.

“Have conversations with entities that own and maintain roads in your city about how their processes and requirements may differ, and clearly incorporate their standards into your policy,” she said.



*While Columbia’s South Main Street has had its number of car lanes reduced, it has gained wider sidewalks and a separated bike lane.*



# Credentialing Process for Recovery Housing Established by Act 160

For many people who face substance use disorders, achieving and maintaining recovery can be hindered by a lack of safe, affordable housing supporting them in the process. Properly operated recovery housing can serve as an important part of a comprehensive support effort, helping residents as they initiate, stabilize and maintain long-term recovery in the community, and ultimately transition from treatment to independent living. Such housing comes with regulatory issues, and a recent state law now impacts how they are credentialed.

In South Carolina, the lack of regulation and standardization in the operation of recovery houses has raised significant concerns about their value to residents and their effectiveness. They often require an increase of support from local law enforcement professionals who are tasked with responding to public safety issues that stem from substance use disorders.

In response to this growing concern among local government leaders, the SC General Assembly passed Act 160 in 2024, which required the SC Department of Alcohol and Other Drug Abuse Services to approve a credentialing entity to develop and administer a voluntary certification program for recovery housing. The Act then required the designated agency to establish certification requirements, based on nationally recognized standards, for credentialed recovery homes to follow.

Following Act 160's passage, DAODAS appointed the SC Alliance for Recovery Residences to develop and maintain clear and consistent standards for recovery residences in South Carolina. SCARR is also required to publish a registry of all certified recovery housing on its website, [www.scarronline.org](http://www.scarronline.org), and update it at least every 60 days.

Although credentialing of recovery housing in South Carolina is voluntary, Act 160 stipulates that South Carolina courts may not require individuals to enter recovery housing as a condition

of probation or bond unless the facility is credentialed under the Act. In addition, state agencies may refer individuals only to credentialed housing.

Act 160 may also be relevant to local zoning laws. The Fair Housing Act and the Americans with Disabilities Act require that local governments not discriminate against recovery housing. In most cases, recovery housing must be allowed as a permitted use in neighborhoods with single-family residential zoning.

Courts have recognized general exceptions, however, for public safety and for requirements that benefit the disabled. The Ninth Circuit Court of Appeals, in the 2007 case *Cnty. House, Inc. v. City of Boise*, has summarized the national majority rule as allowing regulation of recovery homes if the government can show “(1) that the restriction benefits the protected class or (2) that it responds to legitimate safety concerns raised by the individuals affected, rather than being based on stereotypes.”

Given that Act 160 is expressly designed to protect the residents of recovery homes, it seems likely that courts would uphold a requirement in a local zoning ordinance that requires recovery housing to be certified under Act 160. There are 23 states that require owners and operators of recovery housing to be certified or licensed at the state level, with mandatory rules that are comparable to the voluntary standards contained in Act 160.

Therefore, local governments might consider requiring certification under Act 160 for recovery homes operating within their jurisdiction. Whether such a requirement is legal will ultimately depend on the standards developed by the SC Alliance for Recovery Residences and the willingness of local jurisdictions to make reasonable accommodations for non-certified owners or operators.

# Modernizing the Zoning and Development Process

**F**ocused on integrating new development with existing infrastructure — and maintaining their architectural and community standards — cities and towns across South Carolina are revamping their old zoning codes and development ordinances.

Reorganizing their zone codes and development procedures also gives them an opportunity to establish a more streamlined and user-friendly product for those pursuing projects in their jurisdiction. The Town of Chapin, the City of North Augusta, and the City of Greenville are three municipalities who have recently embarked on such undertakings.

In Chapin, the town council approved its Unified Zoning and Development Ordinance, or UDO, in March 2024. The UDO set regulations, zoning and development ordinances for everything in the town — residential and commercial properties — and then builds on the comprehensive plan that involves areas that are outside the town, Nicholle Burroughs, the town administrator, said.

Like many South Carolina communities, Chapin is seeing an uptick in growth. The 2.1-square-mile town is relatively small, but Burroughs noted that it is impacted by the surrounding ZIP codes in Richland, Lexington and Newberry counties.

She noted that the traffic that the town sees is primarily derived from those neighborhoods and developments that have emerged outside of the town.

“We’ve only approved one neighborhood in 15 years, and from [what] Lexington County standards were at the time, we got a 25% reduction of the amount of houses in that neighborhood. The Town of Chapin is extremely interested in creating developments that

are of a higher quality, better projects, better design but that also still create opportunities for people to live in the area of Chapin, particularly in the Town of Chapin,” Burroughs said.

Led by a steering committee, the main architects of the new UDO included the planning commissioners, project consultants and town staff. Some key differences to the update were streamlining and clarifying of architectural standards, implementing architectural standards for neighborhoods and residential properties and improving commercial zoning regulations.

“There was a lot of improvements to our tree mitigation, open spaces, and the land development standards for a great protection of the community, the environment, and our natural resources,” Burroughs said.

With the updates to the UDO, Chapin is looking to the future.

“The Town of Chapin is really looking to provide a sustainable integration of new growth and development that’s in harmony with the existing small-town character and quality of life of our community. The UDO is really designed to help ensure that and to create clarity around our regulations so that developers

know what to expect and can design projects that meet our expectations.”

The City of North Augusta started the process of revamping its development code, dating to 2007, more than four years ago. After the city executed a contract with its consultant, a steering committee formed, consisting of city council members, planning commission members, community members, and three staff members, to meet monthly.

“Their marching orders were basically to review the regulations and encourage reuse and redevelopment of property; review regulations to ensure the code supports responsible infrastructure and review current regulations for efficiency and effectiveness in meeting the comprehensive plan and review the zoning categories to encourage affordable housing,” Planning and Development Director Tommy Paradise said.

North Augusta’s development code entailed both the development protocol and also the zoning ordinance.

“So, it is both the zoning ordinance and the land development regulations put together — it was very confusing, it conflicted in places, it was hard to find [information], and so part of the orders from the committee, staff, and consultants



*Chapin updated its Unified Zoning and Development Ordinance in 2024. Photo: Town of Chapin.*



*Greenville's "Coffee with the Code" meetings sought public input on its development code updates. Photo: City of Greenville.*

was to make it easier and friendlier, make it more user-friendly," Paradise said.

To achieve this goal, the city hosted several public engagement sessions — including virtual meetings during the COVID-19 pandemic — and conducted an online survey marketed to residents by direct mailing.

"The consultants wrote all that analysis down for us and did an audit of what we needed to change and what we needed to leave alone. The staff worked closely with them [to put the] draft together," Paradise recounted.

An updated development code draft was presented to a subcommittee in November 2022, and the subcommittee approved the document in December 2023.

"There are a lot of similarities in the actual data, but the big difference is [the] means of use and being able to find something," said Paradise. "We consolidated it; we've got more charts and more artwork, so that you see examples of what we're talking about," he said, adding that there are also no overlay districts. "There shouldn't be any surprises or hidden parts in there."

The City of Greenville's recent zoning code update fulfilled part of the vision of its comprehensive plan, GVL 2040,

adopted in 2021. The plan's three goals, said Mary Douglas Hirsch, planning director, are affordable housing, open space and improvement of transportation and mobility options. To align with them, Hirsch said that the existing development code had to be rewritten.

"We worked with the consultant team for about two years rewriting the code and did a ton of public outreach," Hirsch said, stating that the city met with over 1,500 people at more than 75 meetings and presentations.

Around 2,000 signs stating "New Zoning Code" were also installed throughout the city, she added.

"We were just very public with the process which ended up with a better outcome, but the whole idea was to preserve and strengthen our neighborhoods in Greenville," she said. "They were facing intense growth pressures from infill developments, and city council's priority is to continue to make Greenville a very livable city."

Hirsch explained elements that were updated within the code to alleviate some of the growth pressures, such as working to reduce illegal short-term rentals in residential neighborhoods, and "right-sizing" its zoning districts.

"Before, we only had two single-family residential districts, and under the new development code, we have four single-family house districts — [which is important] because Greenville is certainly developed, and so there were some lot sizes that weren't reflective of what was built."

Tapping into its goal of open space preservation, a new "PK," or Park District, was created to house its city parks that were residentially zoned, as well as a "Campus District" zoned for schools and institutional uses.

The city now offers monthly "project preview meetings" to connect developers with engineers and business owners.

"Anyone who has a project, either a rezoning or a new multi-family project, or anything that we might deem to have significant community interest, we would ask that they go to one of these meetings," said Hirsch. "We've been doing it over a year now and it is working very well."

Hirsch recounted that revamping the code was no small feat.

"Redoing your whole zoning across the entire city is a big undertaking, and we redid our code as well as our zoning map," she said.

"The City of Greenville is committed to updating the code and making it work for the community — we're already working out some things and figuring out what might need to change here and there; that helped us to get [the project] across the finish line."

Updating or revamping existing zoning code and development ordinances in keeping with the times is an arduous task, but the benefits may outweigh any drawbacks to maintaining status quo for some municipalities.



*North Augusta's recent development code update aimed to create a consolidated and user-friendly document. Photo: City of North Augusta.*



# Municipal Association of South Carolina

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## Calendar

For a complete listing of the Association's training opportunities, visit [www.masc.sc](http://www.masc.sc) to view the calendar.

### FEBRUARY

**5 Risk Management Services: SC Other Retirement Benefits Employer Trust Members Meeting.** Municipal Association of SC, Columbia.

**12 SC Association of Municipal Power Systems and Piedmont Municipal Power Agency Legislative Breakfast.** Solomon Blatt Building, Columbia.

**18 – 19 Municipal Court Administration Association 101 Session C.** Municipal Association of SC, Columbia. Topics include court financials.

**26 Main Street SC 1st Quarter Managers' Training.** Municipal Association of SC, Columbia. Topics include Main Street program advocacy and legislative advocacy.

### MARCH

**5 Municipal Court Administration Association of SC's Know Your Role.** Municipal Association of SC, Columbia.

Topics include core competencies for clerks of court, including business functions, public trust, operations management, work flow, strategic planning, leadership and ethics.

**5 SC Business Licensing Officials Association Spring Academy.** Cooperative Conference Center, Columbia. Topics include the duties and responsibilities of the business licensing official, as well as office procedures, applications and forms.

**5 Municipal Court Administration Association 2.0 Training.** Municipal Association of SC, Columbia.

**10 – 12 SC Utility Billing Association Annual Meeting.** Spartanburg Marriott, Spartanburg.

**18 Municipal Elected Officials Institute of Government: Basic Budgeting and Municipal Finance.** Regional Council of Government locations.

**19 SC Association of Municipal Power Systems Associate Member Lunch.** Cooperative Conference Center, Columbia.

**20 SC Municipal Technology Association of SC Spring Meeting.** Cooperative Conference Center, Columbia. Topics include leveraging GIS tools and resources for disaster recovery, cybersecurity, and artificial intelligence for local government.

**20 Spring Manager's Forum.** Hilton Garden Inn, Columbia.

**25 Risk Management Services: Defensive Driving Course.** Municipal Association of SC, Columbia.

**26 Municipal Elected Officials Institute of Government.** Columbia Metropolitan Convention Center, Columbia. Session A topics include the city as an employer, ethics, goal setting, planning, zoning and conducting effective meetings. Session B topics include business licensing tax administration, intergovernmental relations, municipal court and municipal liability. Advanced MEO topics include advocacy and intergovernmental relations and economic development. Advanced Continuing Education topics include leadership and code enforcement strategies.

**27 SC Association of Stormwater Managers First Quarter Meeting.** Cooperative Conference Center, Columbia.

### APRIL

**8 Risk Management Services: OSHA Confined Space Competent Person Training.** Municipal Association of SC, Columbia.