



Public Hearing

5:45 p.m., Tuesday, July 23, 2024
Council Chambers
1207 Palm Boulevard
Isle of Palms, South Carolina

Public Comment:

All citizens who wish to speak during the meeting must email their first and last name, address, and topic to Nicole DeNeane at nicoled@iop.net no later than **3:00 p.m. the business day before the meeting**. Citizens may also provide public comment here: <https://www.iop.net/public-comment-form>

Agenda

1. **Call to Order** and acknowledgment that the press and the public were duly notified of the meeting in accordance with the Freedom of Information Act
2. **Purpose - Public Hearing of the following ordinances:**
 - i. **Ordinance 2024 – 03** – An ordinance to amend section 5-4-128 Temporary signs and section 5-4-141 Prohibited signs [Pgs. 2-5]
 - ii. **Ordinance 2024 – 05** – An ordinance to amend section 5-4-12, and 5-4-13 and establish stormwater management requirements for new construction in SR-1, SR-2 and SR-3, and to allow properties to be elevated up to 7.4' in elevation with the approval of a plan certifying that the post construction stormwater pattern will result in the same or less runoff than the pre-construction stormwater pattern [Pgs. 6-8]
2. **Adjournment**

ORDINANCE 2024-03

AN ORDINANCE TO AMEND TITLE 5, PLANNING AND DEVELOPMENT,
CHAPTER 4 ZONING, ARTICLE 7 SIGNS OF THE CITY OF ISLE OF PALMS CODE
OF ORDINANCE.

WHEAREAS, the intent of this article is to establish limitations on signs to ensure that they are appropriate to the land, building or use to which they are appurtenant and are adequate, but not excessive, for their intended purpose; and

WHEREAS, in recent years the number of political signs placed within the public rights-of-way prior to primary and general elections has increased dramatically; and,

WHEREAS, often the signs are placed in locations that block the vision of motorists and pedestrians creating a public safety concern; and

WHEREAS, the existence of such signs create litter, create visibility polluting blight, may be detrimental to a healthy tourism economy and impact the aesthetics of the community; and

WHEREAS, the Isle of Palms City Council has the authority to amend its Code of Ordinances when deems to be in the best interest of the citizens of the City, and now desires to do so with respect to the subject of political signs placed within the public rights-of-way by enacting the revisions displayed below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Councilmembers of the City of Isle of Palms, Section 5-4-138, and Section 5-4-141 of the Isle of Palms Code of Ordinances titled “Temporary signs” and “Prohibited Signs” are hereby amended to specifically read as follows:

Sec. 5-4-138. Temporary signs.

The following types of signs are classified as temporary signs, and are allowed as follows:

(a) Building-mounted Grand Opening and Going Out of Business signs, not exceeding thirty-two (32) square feet in sign area, may be erected for businesses and services in nonresidential districts for one (1) period only not to exceed thirty (30) days.

(b) Construction signs. For any construction, remodeling, or landscaping activity, signs which identify the designer, contractor, developer, finance organization, subcontractor or materials vendor involved with the activity may be erected on the construction site upon the issuance of a building permit, or when work begins if no building permit is required, and shall be removed within thirty (30) days following the issuance of a certificate of occupancy (CO), or completion of work if no CO is required. Construction signs shall not exceed a maximum sign area of twenty

(20) square feet in residential districts or thirty-two (32) square feet in nonresidential districts and shall not require the issuance of a sign permit.

(c) Signs advertising real estate for sale or for rent for a term of one (1) year or more shall comply with the following requirements:

1) No more than one (1) sign advertising real estate for sale and one (1) sign advertising real estate for rent shall be allowed per parcel of land. Provided, however that no temporary for rent sign is allowed on a property which has a permanent real estate sign displayed. No off-premises signs advertising real estate for sale or for rent are allowed except that one (1) open house sign may be placed on the shoulder of a street right-of-way between the hours of 1:00 p.m. to 5:00 p.m. on Saturdays, Sundays, and City legal holidays.

2) No sign shall exceed a maximum surface area of five (5) square feet in any zoning district.

3) No on-premises sign shall be located closer than five feet (5') to the boundary of the right-of-way of any abutting street, road or alley.

4) No sign located in any zoning district shall have a height greater than five feet (5').

5) Any such signs shall be removed from view within fourteen (14) days from the date of the closing of the sale or the renting of the property, as applicable.

6) The Zoning Administrator shall give one (1) written warning to the owner of any sign placed in violation of this subsection (c).

7) Any person violating any provision of this subsection (c) at any property after written warning from the Zoning Administrator shall be guilty of a misdemeanor and punished as follows:

a) For a first offense, by a fine of \$20.00.

b) For a second and each subsequent offense, by a fine of \$50.00.

c) Each day of such violation shall constitute a separate offense.

d) Any violation hereunder, with or without warning, shall result in the immediate confiscation of all signs placed in violation hereof.

8) No City business license shall be issued or renewed until all fines outstanding against the applicant are paid in full.

~~(d) Political campaign signs on public rights-of-way may be erected not more than thirty (30) days prior to the occurrence of the event to which they pertain and must be removed within two~~

~~(2) days after said event. Political signs shall not exceed a maximum sign area of eight (8) square feet nor obstruct the line of sight of motorists, and shall not require the issuance of a permit.~~

(e) Signs announcing civic, recreational, philanthropic, educational, or religious events and not exceeding thirty-two (32) square feet of sign area, may be erected no more than fourteen (14) days prior to the announced event and shall be removed within two (2) days following the event.

(f) Height. The maximum height of freestanding temporary signs shall not exceed eight feet (8'), while the lower edge shall not exceed four feet (4') in height.

Sec. 5-4-141. Prohibited signs.

Except as may be specifically authorized by the City and any other government agency having jurisdiction over the subject area,, it shall be unlawful for any person to erect, place or use within the City, when visible from any public way or beach, any of the following signs:

(1) Off-premises signs, outdoor advertising signs and billboards.

(2) Any signs within the CO conservation district unless authorized by the City or any agency of the State.

(3) Signs which contain any moving, flashing, or animated lights, visible moving or movable parts, or give the appearance of animation.

(4) Neon signs, except for "Open" and "Closed" signs.

(5) Inflatable signs.

(6) Roof signs. Signs erected upon, against, or directly above a roof or roof eaves, or on top of above the parapet.

(7) Vehicle signs. A permanent or temporary sign affixed to, painted on or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed in public view under circumstances which indicate that the primary purpose of said display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for said vehicle.

(8) Any sign which emits a sound, odor or visible matter.

(9) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.

(10) Any sign or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic sign.

(11) Signs using the words "stop," "danger" or any other word, phrase, symbol or character in a manner that misleads, confuses or distracts a vehicle driver.

(12) Electronic message boards. An electrical sign which utilizes lights or other electronic devices to form a message or messages capable of being electronically programmed or modified by electric processes.

(13) Moving message boards.

(14) Signs within a public right-of-way, public beach or public beach access.

(15) Signs painted on or attached to trees, rocks or other natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare.

(16) Abandoned or dilapidated signs.

(17) Any sign which exhibits statements, words or pictures of obscene or pornographic subjects.

(18) Portable signs, except for sandwich board signs which comply with the requirements in section 5-4-137(e).

(19) Banner signs.

(20) Political campaign signs promoting a political candidate or party within a public right-of-way.

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by City Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE ISLE OF PALMS ON THE _____ DAY OF _____, 2024.

Phillip Pounds, Mayor

(Seal)

Attest: _____

Nicole DeNeane, City Clerk

ORDINANCE 2024-05

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ARTICLE 8, ADDITIONAL REGULATIONS, SECTION 5-4-12 SUBSECTIONS P THROUGH R, AND SECTION 5-4-13 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES.

WHEREAS, the Isle of Palms Council is empowered with the authority to make substantive amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, the City of Isle of Palms, like most municipalities in the Lowcountry, is low-lying and vulnerable to flooding and storm damage and reducing and managing runoff from individual properties is a benefit to the community;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 4, Zoning of the Isle of Palms Code of Ordinances, specifically Article 8, Sections 5-4-12 and 5-4-13.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Title 5, Planning and Development, Chapter 4, Zoning, Section 5-4-12, Subsections (p) through (r), be replaced entirely to read as follows:

Sec. 5-4-12. Additional regulations.

(p) Adding fill or importation of materials of any type, or re-contouring of a lot's existing contours, that increases a lot's existing ground elevation more than one (1) foot above existing road and results or may result in elevating an existing or proposed structure is strictly prohibited. Provided however, that this requirement would not limit the elevation of a lot to an elevation lower than 7.4' (using the 1988 NAVD datum).

(q) No lot shall be improved, altered, graded, or filled in a way that results in (1) additional stormwater running off the site; or (2) stormwater running off the site in an accelerated manner.

(r) Prior to any improvements, alterations, grading, or filling, a stormwater management plan shall be submitted and approved by for such lot without the Zoning Administrator's prior approval of a stormwater management plan.

(s) The stormwater management plan shall include the following:

- (1) the stamp and signature of a duly licensed and qualified professional;
- (2) all existing and proposed topographical features of the lot, existing and proposed drainage flow patterns, and runoff quantities;

- (3) and a statement by the professional certifying that the improvements are designed such that post-construction runoff will mimic preconstruction hydrology runoff for the site and the improvements will not filling or grading of the lot will not adversely impact the drainage of any adjacent properties, drainage systems or rights-of-way;
- (4) For every square foot of new or altered impervious surfacing permitted, 0.3 cubic feet of storm.

(t) The following site changes shall require the submittal of a stormwater management plan:

- (1) Any new building construction, new impervious surface, or replacement of impervious surfaces, which cumulatively exceed six hundred and twenty-five (625) square feet in area (all development shall be cumulative over time when considering the square footage threshold for requiring a stormwater management plan).
- (2) Adding fill or re-contouring of twenty (20) percent or more of the existing lot area in compliance with paragraph (p) of this section.

Additional submittal materials, design specifications and maintenance schedules may be requested at the discretion of the Zoning Administrator to ensure compliance with the Charleston County Stormwater Management Program.

(u) Prior to the issuance of a Certificate of Occupancy (CO) for construction projects, the Zoning Administrator may require as-built documentation certifying that the project was completed in compliance with the approved stormwater management plan.

SECTION 2. That Title 5, Planning and Development, Chapter 4, Zoning, Section 5-4-13 be retitled to read as follows:

Section 5-4-13. Maximum lot coverage; floor area ratio requirements; stormwater detention; additional setback requirements.

SECTION 3. That Title 5, Planning and Development, Chapter 4, Zoning, Section 5-4-13, Subsection (b) be inserted as follows and all subsequent subsections be renumbered accordingly:

(b) In situations Section 5-4-12(r) requires a stormwater management plan, for every square foot of new or altered impervious surfacing permitted on a lot, 0.3 cubic feet of new stormwater detention. must be provided on the lot. The method for stormwater detention must be approved by the Zoning Administrator as part of the stormwater management plan. Detention areas must be located on the same property and above the seasonal high groundwater level. Detention can be achieved with detention vaults, rock wells, open basins, or any approved combination of methods. If materials such as rocks are used to create stormwater storage, only the voids within the system, excluding materials, will count towards meeting the required area.

SECTION 4. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 5. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 6. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF

PALMS, ON THE _____ DAY OF _____, 2024.

Phillip Pounds, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____