

City Council Public Hearing
6:45 p.m., Tuesday, July 23, 2013

1. Mayor Cronin called the Public Hearing to order and acknowledged that the press and public had been duly notified of this Public Hearing in accordance with the Freedom of Information Act.

2. Purpose

Ordinance 2013-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 7, Signs, of the City of Isle of Palms Code of Ordinances to Prohibit Vehicle Signs on Parked Vehicles Under Certain Circumstances, to Provide Exceptions to Prohibition on Vehicle Signs, and to Provide Definition for Vehicle Signs.

Ordinance 2013-08 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 1, General Provisions, and Article 3, Landscaping and Tree Removal Regulations, of the City of Isle of Palms Code of Ordinances to Provide Definition of Hazardous Tree, to Provide for Removal of Hazardous Trees in Certain Circumstances, to Specify Types of Trees that are Subject to the Tree Removal Regulations and to Provide for Exclusions Therefrom.

Mayor Cronin read the title of the two (2) ordinances and stated that these ordinances were up to Second Reading at the City Council meeting that follows the hearing. Director Kerr was invited to the podium to explain the changes included in the ordinances.

The sign ordinance amendment, Ordinance 2013-07, is presented as the result of a local business owner's attendance before Council, expressing his concern about not being able to display a vehicle sign in the Commercial District. At Council's direction, the City Attorney researched how other jurisdictions handled vehicle signs and prepared a draft ordinance for Planning Commission consideration; the Planning Commission recommends Council approval of this amendment.

The amendment includes two (2) changes to the existing code; the first change is a clarification to when a sign on a vehicle is considered a vehicle sign, and, therefore, regulated by the City's code. The draft includes the location the vehicle is on the premises, the time of day that the vehicle is on display and the duration the vehicle is displayed. The change in policy is in the following sentence in Section 5-4-141:

"This section shall not apply to prohibit vehicle signs displaying a business name, logo, address or telephone number when the vehicle is parked on the premises of the business establishment it serves."

If the amendment is adopted, a business owner can park a vehicle sign on the same premises as the business is allowed.

The amendment continues as follows:

"Nothing in this section shall prohibit vehicle signs on trucks, buses, trailers, or other vehicles while such vehicles are being used in the normal course of business."

If a delivery truck appears with a sign on it and it is conducting regular business, that vehicle sign would not be regulated.

Changes to the tree ordinance are also the result of a property owner contacting the City about the removal of a healthy tree that was very close to the house's foundation; he sought a tree removal permit, which was not granted under the current code. The code addresses in detail when a tree is diseased or has the potential for falling, but, if it is a healthy tree with roots undermining the house's foundation or has the potential to do so, the code is silent. The amendment has two (2) substantive changes; the first would allow an owner to remove a healthy tree "when the tree is causing damage or poses a clear and imminent threat of structural damage to an enclosed area of the primary building, including porches, or a pool." Director Kerr pointed out that the amendment does not include accessory structures or unenclosed portions, like a deck. The code also clarifies that the situation cannot be remedied by pruning the tree.

While the Planning Commission was looking at the tree ordinance, they also thought it would be helpful to allow for the removal of invasive species. Currently the tree code only exempts pine trees; this change would also exempt invasive species and the code will now reference a publication from the Clemson Extension that includes a list of invasive species.

3. Adjourn

Since no one present rose to speak to these two (2) ordinances, Mayor Cronin declared the Public Hearing closed at 6:52 p.m.

Respectfully submitted:

Marie Copeland
City Clerk