

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
December 9, 2009

The Isle of Palms Planning Commission met in the Building Department conference room, 1301 Palm Boulevard on December 9, 2009, at 4:30PM. Members attending included Pat Campbell, David Cohen, Ron Denton, Lisa Safford, David Stevens, Sandy Stone and Dick Watson; also the Director of Planning, Douglas Kerr was present. The press had been notified of the meeting and the agenda for the meeting was posted in City Hall and the Building Department to comply with the Freedom of Information Act.

Chairman Ron Denton called the meeting to order.

APPROVAL OF MINUTES

The next item on the agenda was the review of the minutes of the November 11th, 2009 meeting. Mr. Stone made a motion to approve the minutes as written and Mr. Campbell seconded the motion. The vote was unanimous in favor of the motion.

DISCUSSION OF PARKING ISSUES WITH POLICE CHIEF

Mr. Kerr explained to Chief Buckhannon that the Planning Commission had been discussing various schemes of managing the parking on the island, with particular emphasis on Palm Boulevard between 21st Avenue and 41st Avenue. He asked the Chief if he saw any immediate issues with regulating the parking in these areas. Chief Buckhannon responded that the requirement for cars to be parked four feet off of the pavement on the ocean side of Palm Boulevard between 21st Avenue and 41st Avenue was actually implemented by the state legislature. He felt that there would need to be some legal research to determine how this could be legally amended, but it may require action by the state legislature. He added that there was technically no requirement on the waterway side of Palm Boulevard other than that all four tires be off the pavement, so this would also have to be amended to increase that distance, if the City wanted to require a greater distance.

He explained that currently the Police Department hired four Beach Services Officers in the summer and to increase the area regulated would require additional officers being hired. He added that to require permits would also require additional administrative staff, so the City would be faced with hiring additional people to enact a parking program.

Mr. Denton asked about the requirement to be parallel parked and Chief Buckhannon answered that there is no requirement to be parked in any particular direction. Mr. Denton asked for the Chief's general impression on pursuing the

idea of organizing the parking in this area. The Chief answered that he felt dealing with day-trippers is one of the biggest issues facing the City now and into the future, so he felt that it was worthwhile to look into. He added that he thought the City of Charleston had a parking permit program in place downtown and he thought that it operated well.

Mr. Kerr explained that one of the main impetuses to the Commission looking at this issue was the perception that during busy times, the parked cars and the beach traffic was creating an unsafe situation and he asked if the Chief had been concerned about this. The Chief answered that the parked cars had not jumped out as an unsafe situation. Mr. Campbell asked if there had been any studies on the traffic in this area. The Chief answered that no studies had been conducted, but they he had asked for proposals in the past, but none were submitted. The Chief added that the Commission may want to look at doing a test area and see the concepts work.

Mr. Stone explained that the idea of issuing a pass to residents has been considered and he thought that the City needed to be careful in not creating an administrative monster of trying to track passes. Mr. Denton explained that he had done some research on-line and seen ways of handling some of the administration on-line. The Commission thanked the Chief for coming and sharing his input.

Mr. Watson asked when it would be appropriate to get input on the issue from City Council. Mr. Denton explained that he believed the appropriate time would be as soon as the Commission reaches a general consensus on a plan. He stated that he would like the Commission to begin working on a written plan to review and eventually pass onto Council.

Mr. Campbell explained that he was in favor of working on a sensible plan specifying the layout of parking, but that he felt that the financial portion of the equation is outside of the Commission's purview.

Mr. Stevens explained that he felt that the City had a unique opportunity to provide a pathway on the ocean side of Palm Boulevard. He explained that this path would connect the paths that already exist on the other portions of Palm Boulevard and Waterway Boulevard and it is a very rare opportunity to have a path that someone could travel 20 blocks without ever crossing a roadway intersection. He explained that he felt that this path would be a huge asset to the future of the City.

Mr. Denton explained that the plan at this point could include cross sections and aerials and a verbal description of how the plan could work. This concept could be forwarded to Council and if all parties agree that it is a viable concept, the next step would be to discuss the plan with SCDOT and begin looking for a professional designer.

Mr. Kerr explained that at the last meeting he had the impression that the Commission agreed that the plan was to increase the parking distance to eight feet, install additional signage and require a permit to park. Mr. Denton explained that he thought this was phase one of the plan and that the written master plan should include all phases.

The Commission generally agreed that they would like to have a written long range parking plan at the next meeting to consider forwarding to City Council.

DISCUSSION OF AMENDING RENTAL OCCUPANCY REQUIREMENTS/ NEW ZONING SCHEME

Mr. Denton explained that the idea of amending the maximum occupancy requirement for future rentals to 12 people was brought up at the workshop held with City Council. He explained that the Commission has decided to look at a more encompassing set of changes to the zoning requirements, but because the Commission was explicitly asked to look at the idea of limiting future rentals to 12 people, he thought that the Commission should focus on that prior to moving onto a new concept.

Mr. Campbell stated that he had real questions about where the number 12 came from and the basis for the number. Mr. Cohen explained that he felt that previous discussions by the Commission indicate that as a group they do not feel that the number 12 is appropriate for all situations and that some type of graduated scale depending on the area of the rental would be more appropriate.

Mr. Watson made a motion to reject the idea of establishing an island-wide maximum occupancy of 12 people for future rentals regardless of area, with the understanding that an alternative notion of establishing occupancy limits based on areas will be discussed. Mr. Campbell seconded the motion. The vote was unanimous in favor of the motion.

Mr. Denton explained that the Commission had been working on a new zoning scheme and asked if Commission members had additional adjustments they wanted to proposed to the scheme.

Mr. Stone stated that he would like to make a motion to increase the proposed maximum house size for the Waterway District from 4,000 to 5,000 square feet. Mr. Cohen seconded the motion. The vote was unanimous in favor of the motion.

Mr. Stone made a motion to increase the proposed floor-to-area ratio (FAR) for the Waterway District from 30% to 35%. Mr. Watson seconded the motion. Mr. Watson asked Mr. Kerr what the rationale was for proposing a 30% FAR in this district. Mr. Kerr explained that the lot sizes in this district are very large and a FAR of 40% would allow the construction of a very large house, which he felt would be out of character with what has already been built in this area. However, he stated that because the maximum house size is recommended to be 5,000 square feet, any lot larger than about 14,000 square feet would be limited to 5,000 square feet, which he thought would be the majority of lots in the district. With no more discussion, Mr. Denton asked for a vote and the vote was six to one in favor of the motion (with Mr. Cohen voting against the motion).

Mr. Stone made a motion to amend the proposed zoning map to change Waterway Island from the Waterway District to the Ocean District. The motion was seconded and unanimously approved.

Mr. Stone made a motion to recommend adoption of the proposed zoning scheme as amended, with the additional amendment that the rental occupancy limits not apply to existing rental license holders. Mr. Campbell seconded the motion.

Mr. Cohen made a motion to amend the original motion to add a maximum occupancy to the Ocean District of 24 people. The motion was seconded.

Mr. Watson made a motion to amend the original motion to state that any rental that has an occupancy that is grandfathered be brought into compliance with the newly required occupancy limits after a five year period. Ms. Safford seconded the motion.

Mr. Denton called for a vote on Mr. Watson's amendment to the original motion to state that any rental that has an occupancy that is grandfathered be brought into compliance with the newly required occupancy limits after a five year period. The amendment failed with a vote of two in favor (Mr. Watson and Mr. Campbell) and five against.

Mr. Denton called for a vote on Mr. Cohen’s motion to limit the occupancy in the Ocean District to 24 people. The vote was unanimous in favor of the amendment.

Mr. Denton called for a vote on Mr. Stone’s original motion to recommend adoption of the amended zoning scheme with the additional amendment that the newly proposed rental occupancy limits not apply to existing rental license holders. The vote was six to one (Mr. Watson) in favor of the motion.

Below is a summary of the changes recommended by the Commission:

	Ocean District	2nd Row District	Waterway District
Current maximum house size	7000 sq. ft.	7000 sq. ft.	7000 sq. ft.
<i>Proposed maximum house size</i>	<i>7000 sq. ft.</i>	<i>5000 sq. ft.</i>	<i>5000 sq. ft.</i>
Current FAR	40%	40%	40%
<i>Proposed FAR</i>	<i>40%</i>	<i>40%</i>	<i>35%</i>
Current lot coverage	40%, 7000 sq' max	40%, 7000 sq' max	40%, 7000 sq' max
<i>Proposed lot coverage</i>	<i>40%, 7000 sq' max</i>	<i>40%, 5000 sq' max</i>	<i>30%, 4000 sq' max</i>
Current occupancy limit	2 per bdrm+2 or 1 per 250sq'	2 per bdrm+2 or 1 per 250sq'	2 per bdrm+2 or 1 per 250sq'
<i>Proposed occupancy limit</i>	<i>2 per bdrm+2 or 1 per 250sq'; 24 max</i>	<i>2 per bdrm+2 or 1 per 250sq'; 16 max</i>	<i>2 per bdrm+2 or 1 per 250sq'; 12 max</i>

DISCUSSION OF MINIMUM REQUIREMENTS FOR NATURAL VEGETATION

Mr. Denton explained that the language proposed in the memo in the packet was taken directly from the Planning Commission’s recommendation in 2003. Mr. Kerr explained that as he understood Ms. Safford’s point at the previous meeting, she wanted to require some type of plantings for new construction. He thought that an amendment that would achieve this would be to require the submittal of a plan and the installation of landscaping in accordance with the plan prior to a Certificate of Occupancy being issued.

Ms. Safford made a motion to recommend approval of an amendment to require:

“At least fifty (50%) percent of the area of a Lot shall be naturally vegetated or landscaped with grass or other vegetation, provided that this requirement shall not limit Lot Coverage to less than 3,200 square feet.

Prior to the issuance of a Certificate of Occupancy for new construction, a landscape plan must be submitted and approved and all landscaping must be installed in accordance with the approved plan.”

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The motion was seconded and the vote was unanimous in favor of the motion.

MISCELLANEOUS BUSINESS

Mr. Campbell had to leave and the group agreed that it would be better to hold off on discussing roof top decks until the next meeting. Mr. Kerr explained that between now and the end of the year all Commission members need to meet their State education requirements.

ADJOURNMENT

There being no more business, the meeting was adjourned at 6:55PM.

Respectfully submitted, Ron Denton, Chairman.