

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
August 14, 2013

The Isle of Palms Planning Commission met in the City Hall Conference Room, 1207 Palm Boulevard on July 10, 2013 at 4:30 p.m. Members attending included Bev Ballow, Ron Denton, Richard Ferencz, Patrick Harrington, Penny Lewis, Noel Scott and Don Smith. The Director of Planning Douglas Kerr was present as well. 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 Noel Scott called the meeting to order.

APPROVAL OF MINUTES

Mr. Scott explained that the first item on the agenda was the approval of the July 10, 2013 minutes. Ms. Ballow made a motion to approve the minutes and Mr. Denton seconded the motion. The vote was unanimous in favor of the motion.

RECONSIDER TREE ORDINANCE AMENDMENTS

Mr. Kerr explained that at the last meeting of City Council, the Planning Commission's recommendations regarding the removal of trees were adopted, but a request was made to have the Planning Commission consider broadening the code to allow trees causing damage to site-built garages and storage sheds to be removed as well. He explained that the recommendation made by the Planning Commission allowed an owner to remove a tree damaging a pool to be removed, but not other accessory structures.

Mr. Kerr explained an amendment should differentiate between site built, more permanent structures and prefabricated, less permanent structures that can be purchased at home improvement stores. Mr. Ferencz asked if the existing building code included a trigger for a building permit that could be used to differentiate the two types of structures. Mr. Kerr explained that the current trigger for a building permit is 200 square feet and any shed smaller than 200 square feet is not required to have a building permit.

Ms. Lewis explained that she had become concerned that the amendment previously recommended by the Commission might allow trees to be removed for less permanent pools and that tying the requirement to a building permit may alleviate her concern.

After general discussion, the Planning Commission agreed to forward on a recommendation to City Council that would modify Section 5-4-63(c) to read:

“when a tree is causing structural damage to the enclosed, habitable area of the primary building, including porches, or any other permanent accessory structure

that would require a building permit, and the damage cannot be remedied without removing the tree, the Zoning Administrator may determine that the tree is hazardous and issue a permit for its removal. This section shall not apply to trees causing structural damage to accessory structures other than pools or any unenclosed areas of primary buildings. Replacement of trees removed pursuant to this section is encouraged but not required.”

RECONSIDER VEHICLE SIGN AMENDMENTS

Mr. Kerr explained that at the last City Council meeting, they asked that the Planning Commission reconsidered the vehicle sign amendments and specifically consider adding additional limitations to include a limit on the number and size of the vehicle signs allowed on a commercial property.

Mr. Kerr showed examples of various vehicle signs in the area. He explained that he felt that the primary objections to vehicle signs are to large signs or large vehicles with signs parked immediately adjacent to the roadway, where it is apparent that it is intended to attract the attention of vehicular traffic. He stated that he felt that smaller signs on typical passenger vehicles do not appear to be offensive and that other larger vehicles with signs parked away from the roadways, in the interior of a parking lot do not appear to be offensive.

He suggested an amendment that would allow one car or pick-up truck with a sign of less than 20 square feet to be within 25 feet of the front property line and all other vehicles with signs would have to be more than 25 feet of the front property line.

The Commission generally discussed the amendment and discussed the limit of 20 square feet. Mr. Kerr showed an example of a pick-up truck with signage that he estimated was approximately 20 square feet and said this was the basis for the area being 20 square feet. The group generally agreed that the particular truck was not offensive, but measurements should be taken to ensure that the area is approximately 20 square feet.

Mr. Smith explained that he wanted the amendment to be clear that the vehicles with signs should only be allowed to remain on the property when they are being regularly used by the businesses and not just parked as an advertisement. The group generally agreed that the amendment should include language that clarified that the vehicles should be used regularly and maybe on a weekly basis.

Mr. Smith made a motion to have the City Attorney draft an amendment that would allow one car or pick-up truck with a sign having an area no larger than the example shown to the group to be within 25 feet of the front property line and all other vehicles

with signs would have to be more than 25 feet of the front property line. The amendment should include provisions that require that the vehicle be on commercial property, on the premises of the business it serves and used on a regular basis. Mr. Harrington seconded the motion.

Mr. Ferencz asked how the limit on the size of the sign would be determined and if the Planning Commission would be asked to review the size once it was determined. Mr. Kerr explained that he would go measure the signage on the truck that was shown to the group as an example. Mr. Ferencz stated that he would have an objection if it was determined that the sign on the truck was a large amount, like 60 square feet, and he believed the Commission would want to review this before it went to City Council. Mr. Kerr proposed that if the measurement revealed an area of less than 30 square feet, it be directed to City Council and if the area was more than 30 square feet it be directed back to the Planning Commission.

Mr. Smith amended his motion to specify that the recommended sign area was to be generally the area of the truck signage shown as an example as long as the area was determined to be less than 30 square feet. Mr. Harrington amended his second and the vote was unanimous in favor of the motion.

REVIEW OF THE COMPREHENSIVE PLAN- HOUSING ELEMENT

Mr. Scott explained that the next item on the agenda was the review of the Housing Element of the Comprehensive Plan. Mr. Scott explained that the existing plan showed that the percentage of owner-occupied housing was 40% and he thought that it was closer to 33%. Mr. Kerr stated that he believed he had updated data that supports 33%, but he would verify this and make this amendment, if appropriate.

The group agreed to strike the statements: “property values have substantially increased over the last few years. This appreciation and the ever-present threat of a major storm have prompted some longtime residents to sell their homes and move off the island.”

The group agreed that the insurance implications associated with recent federal legislation are probably more relevant at the time and suggested that a brief overview of the changes be added.

Ms. Ballow explained that she did not like the use of the term “functionally obsolete” being used to describe older, smaller homes and suggested substituting the term “less desirable in the current market.” She also stated that she did not like the statement that: “smaller homes are being replaced by much larger structures,” and she suggested:

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“older homes are being replaced by updated structures.” The group agreed with these substitutions.

MISCELLANEOUS BUSINESS

Mr. Kerr explained that the City had attended a meeting on the insurance changes that the community could expect as a result of the Biggert-Waters Act of 2012 and that he would forward a copy of the presentation given at the meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:10 p.m.

Respectfully submitted,
Noel Scott, Chairman