

PLANNING COMMISSION
March 13, 2024

The public may view the public meeting at:
www.youtube.com/user/cityofisleofpalms

Public Comment: Citizens may provide public comment here:
<https://www.iop.net/public-comment-form>

AGENDA

The Isle of Palms Planning Commission will hold its regular meeting on Wednesday, March 13, 2024, at 4:00 p.m. in Council Chambers of City Hall, 1207 Palm Boulevard.

- A. Call to order and acknowledgment that the press and the public were duly notified in accordance with state law.
- B. Approval of minutes February 14, 2024
- C. New business Discussion of stormwater recommendations with Rick Karkowski, PE, Thomas and Hutton
- D. Old business
- E. Miscellaneous business
- F. Adjourn



**Planning Commission Meeting
4:00pm, Wednesday, February 14, 2024
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Sue Nagelski, Sandy Stone, David Cohen, Ron Denton, Rich Steinert, Tim Ahmuty

Absent: Jeffrey Rubin

Staff present: Director Kerr, Zoning Administrator Simms

2. Approval of minutes

Director Kerr explained that the recording of the January meeting was cut off at 48:27 and there was no recording of the meeting. The minutes will reflect that interruption. Director Kerr said that scope of work the Commission requested of Davis & Floyd in that meeting has been received.

MOTION: Ms. Nagelski made a motion to approve the minutes as amended. Mr. Stone seconded the motion. The motion passed unanimously.

3. Election of Chair and Vice Chair

Mr. Stone nominated Mr. Denton as Chair of the Planning Commission. There being no other nominations, a vote was taken with all in favor of Mr. Denton as Chair of the Planning Commission.

Ms. Nagelski nominated Mr. Cohen as Vice Chair of the Planning Commission. There being no other nominations, a vote was taken with all in favor of Mr. Cohen as Vice Chair of the Planning Commission.

Mr. Denton will serve as Chair and Mr. Cohen will serve as Vice Chair of the Planning Commission.

4. **Citizens' Comments**

Mr. Wallace Bonds spoke to the Commissioners about the proposed stormwater regulations. He would like to see stronger words used in place of “may” or “should.” He would like to see “will,” “must,” or “shall” be used in the appropriate places. He prefers the stronger wording in these regulations to prevent what happened to his property from happening to others.

Zoning Administrator Simms said he would prefer “shall” be included when discussing the submission of as-builts as that is the current administrative practice.

5. **Old Business**

Stormwater Recommendations

Director Kerr reviewed the Commission's request from the previous meeting: “We left our last meeting having had discussions with Davis & Floyd engineers about what we have in here now and we talked a little bit about the fact that the way we are currently worded we are very much letting the preconstruction conditions drive the design. We asked them to do a little bit of work in terms of trying to figure out a kind of design standard. We talked about a little bit about a 10-year storm over a longer duration or a higher storm over a shorter duration.”

He said that Davis & Floyd sees this as an additional scope to their work and have provided an estimate of \$15-\$20,000 to complete these sorts of calculations. Because that will require Council approval, he asked the Commissioners if they felt that expense was warranted or if there might be another way to come up with the standard they are seeking.

He said, “We are asking of Davis & Floyd is there kind of a magic number that we could universally apply across the island that says something to the extent like you have to retain, you have to design your drainage plan to retain the first 30 minutes of a 10-year storm, and then after that it can leave at X rate.”

After lengthy discussion of how such a calculation could be reached and parameters to consider when making such a calculation, Director Kerr said that he and Zoning Administrator Simms will try to find a civil engineer to hire for a few hours of work, including coming to the next Planning Commission meeting, to see if they can draft some simple language for a design standard that will trigger the need for a drainage plan.

6. **New Business**

7. **Miscellaneous**

The next meeting of the Planning Commission will be Wednesday, March 13, 2024 at 4:00pm.

8. Adjournment

Mr. Stone made a motion to adjourn, and Ms. Nagelski seconded the motion. The meeting was adjourned at approximately 5:33pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Sec. 5-4-12. Additional regulations.

The following additional regulations shall apply to all zoning districts:

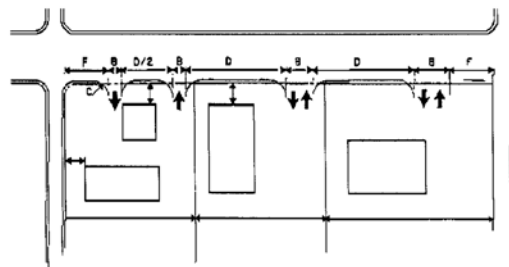
- (a) No land or building shall hereafter be used or occupied and no building or part thereof shall be constructed, erected, altered, or moved unless done in compliance with all applicable provisions of this chapter. Any use of land or buildings which is not allowed as a permitted use, conditional use, or special exception in the applicable zoning district is strictly prohibited.
- (b) The height of a building or structure shall not exceed forty feet (40'), unless otherwise provided in this chapter.
- (c) No lot shall be reduced to a size which does not meet the minimum lot area, lot width, yard areas, or other requirements of the applicable zoning district.
- (d) Except as provided in sections 5-4-45 and 5-4-46, no buildings shall be erected, altered or moved to create smaller front yards, side yards, rear yards or other open spaces than are required by the applicable zoning district.
- (e) All new construction or substantial improvements, as those terms are defined in section 5-4-155, shall be connected to the public sewer system if a public sewer line abuts a property or could abut a property with an extension of the sewer line of one hundred fifty (150) feet or less, as determined by the Isle of Palms Water and Sewer Commission. Where a gravity operated public sewer line does not abut a property or would require an extension of the sewer line of more than one hundred fifty (150) feet to reach a property, all new construction or substantial improvements must have an on-site wastewater disposal system or grinder pump system constructed or brought into compliance with current South Carolina Department of Health and Environmental Control (SCDHEC) standards; provided, however, that if the property cannot meet current SCDHEC on-site wastewater disposal system or grinder pump system standards, the building on such property shall not be increased in size and the improvements shall not increase the number of bedrooms or bathrooms.
- (f) Sills, belt course, window air conditioning units, chimneys and cornices may project into a required yard by not more than two feet (2'). Steps may project into a required front yard or rear yard by not more than five feet (5').
- (g) The zoning district front yard setback requirements for dwellings shall not apply to any lot where the average setback of existing buildings located within one hundred feet (100') of each side of the dwelling within the same block and fronting on the same street is less than the required front yard setback. In such case the average setback on such lot shall not be less than the average setback of the existing buildings.
- (h) Where a lot abuts on two (2) streets (either a corner lot or a double frontage lot), the lot's front yard setback requirements must be met on both street sides and the lot's side yard setback requirements must be met on all other sides of the lot.
- (i) Where a lot abuts on two (2) streets or rights-of-way (either a corner lot or a double frontage lot), no accessory building shall be located closer to a street than the lot's front yard setback requirements.
- (j) No fence, wall, shrubbery, or other structure shall obstruct road traffic vision.
- (k) Every building hereinafter erected or moved shall be on a lot abutting a public street, or having legal access to an approved private street. All structures shall be located to allow for safe and convenient access for servicing, fire protection, and off-street parking.
- (l) All lots shall be located on a street having a minimum right-of-way of fifty feet (50'). The required fifty feet (50') shall not include any critical area as defined in section 5-4-15(A).

- (m) Except as allowed in section 5-4-113(g), no access drive shall be permitted which would require a reduction in existing on-street public parking or loading areas.
- (n) Except in residential and GC-2 zoning districts, access drives shall conform to the requirements set forth in the following table and figure 5-4-12-A:

Street Speed Limit (mph)	Maximum One-Way/Two-Way Drive Width (in feet)	Minimum Radius (in feet)	Minimum Spacing Between All Access Drives* (in feet)	Minimum Spacing Between All Drives and Intersections (in feet)
≤20	12/24	15	30	50
25	15/30	15	40	50
30	15/30	20	50	50
35	18/36	20	50	50
40	20/40	25	50	50

*The distance between abutting one-way access drives, with the inbound drive located upstream of the traffic flow from the outbound drive, can be one-half of the distance listed above.

Figure 5-4-12-A



B = Access Drive Width

C = Curb Radius

D = Access Drive Separation

E = Fifty (50) Foot Minimum Spacing From Right-of-Way

- (o) Access drives in the GC-2 zoning district authorized pursuant to section 5-4-113(g) must comply with the following requirements:
 1. There shall be only one (1) access drive per lot.
 2. An access drive shall not exceed twenty-four feet (24') in width.
 3. Prior to constructing an access drive from a State right-of-way, the owner of the property first must obtain an encroachment permit from the South Carolina Department of Transportation (SCDOT). All fees, costs and expenses for obtaining the permit and for construction of the access drive, arrangement for the sight distance requirement, and any other requirements of SCDOT shall be borne by the owner of the property.

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4. Prior to constructing an access drive from a City or County right-of-way, the owner of the property first must obtain an encroachment permit as set forth in title 3, chapter 1, article E. All fees, costs and expenses for construction of the access drive, compliance with the sight distance requirement, and any other requirements shall be borne by the owner of the property.
- (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) Any decrease in a lot's existing ground elevation is strictly prohibited.~~
- (r) No lot shall be improved, altered, graded, or filled in a way that to an elevation that results in a change to the existing results in more stormwater running off the site or in stormwater running off the site quicker.
- 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. The stormwater management plan shall include the stamp and signature of a duly licensed and qualified professional, all existing and proposed topographical features of the lot, existing and proposed drainage flow patterns, 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. The following site changes shall require the submittal of a stormwater management plan:
- (1) Any new building construction (excluding pools), 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.

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.

(Code 1994, § 5-4-12; Ord. No. 2001-5, §§ 1—3, 5-22-2001; Ord. No. 2002-12, § 1, 10-22-2002; Ord. No. 2003-8, § 1, 6-24-2003; Ord. No. 2003-13, § 1, 2-24-2004; Ord. No. 2006-10, § 1, 8-22-2006; Ord. No. 2015-11, § 1, 9-29-2015; Ord. No. 2018-13, §§ 2, 3, 8-28-2018; Ord. No. 2017-09, § 2, 8-27-2019)