

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
July 8, 2015

The Isle of Palms Planning Commission met in the City Hall Conference Room, 1207 Palm Boulevard on July 8, 2015 at 4:30 p.m. Members attending included Bev Ballow, Ron Denton, Richard Ferencz, Vince DiGangi, Bill Mills, Lisa Safford and Noel Scott; 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.

Noel Scott called the meeting to order.

APPROVAL OF MINUTES

Mr. Scott called for the approval of the June 10th, 2015 minutes. Mr. Mills moved to approve the minutes as submitted, and Ms. Ballow seconded the motion. The vote was unanimous in favor of the motion.

CONSIDER GC3 PARKING ORDINANCE

Mr. Kerr recounted that, at the last meeting, the Commission agreed to consider an ordinance that would allow parking spaces within the right-of-way adjacent to businesses to be counted towards meeting the parking requirement in the City's code. He stated that initially the Commission considered lowering the GC3 parking requirement by 40%, but the group thought that this might cause issues in an area that is already short on parking. Additionally, he stated that this exercise has led to the discovery that the City Code was unclear regarding the parking requirement in the GC2 zoning district; the attached redline changes to the parking code clarified that there would no parking requirement in the GC2 district.

Mr. Ferencz explained that the changes presented state that the parking spaces in the right-of-way need to be "adjacent" to the business, and he wondered if the more accurate wording would be "contiguous." The Commission discussed the wording, and they all agreed that they only wanted parking spaces that were on the same side of the road and directly in front of the business to be counted. They did not want spaces in front of other businesses to be able to be counted towards meeting the requirement. Mr. Kerr stated that he believe the word "adjacent" may be the most accurate, but he suggested the City Attorney review the wording with special attention to the intent of the Planning Commission and choose the correct wording. The Commission agreed with this approach.

Mr. Mills stated that he assumed if SCDOT took an action to eliminate parking spaces that were counted in allowing the establishment then the burden of complying with the parking requirement would be on the owner of the establishment. Mr. Kerr stated that

he did not know if the City could require an owner to find a way to stay in compliance with the code or if the establishment would become legal non-conforming.

The group discussed the likelihood of their being unintended negative consequences and, generally, agreed that the number of properties potentially impacted by this change would be minimal.

Mr. Denton made a motion to recommend to City Council the approval the amendment as proposed with the condition that the City Attorney review the wording as it relates to Mr. Ferencz' s earlier comments. Mr. Ferencz seconded the motion, and the vote was unanimous in favor of the motion.

CONSIDER SHORT TERM RENTAL PLACARD LOCATION AMENDMENT

Mr. Kerr noted that the next item on the agenda was an amendment to the code regarding placards posted in short-term rentals. He explained that currently the code required placards to be posted within 15 feet of the front door of a rental and that this amendment would require additional placards on exterior decks, porches, patios, pools or other gathering areas. The thought behind the change is that the majority of noise problems are occurring outside the house well away from the placard at the front door.

Mr. Mills asked where the change originated from. Mr. Kerr believed that the change was initiated by the Public Safety Committee of City Council and, because the change was to the Zoning section of the City Code, the Planning Commission is required to make a recommendation on the amendment.

Mr. Scott stated that he could see how having written rules in the area where the problems are occurring could help with enforcement, when officers show up and people state that they are unaware of the rules.

Mr. Mills stated that he felt the only realistic way of gaining compliance with the noise ordinance was with financial penalties for those who cause problems. He opined that, if the City were to begin taking deposits from renters who cause problems, the issues would decrease.

Mr. Kerr stated that he did not think the City could get involved with security deposits as these were private agreements between owners and renters, but the code does give the City the authority to hold owners responsible who cannot keep their renters from being a nuisance to the neighbors. Mr. DiGangi agreed that he did not think it would be appropriate for the City to try to interject between an owner and a tenant and get involved with deposits.

Mr. Mills pointed out that the amendment stated that the weatherproof placards would be provided by the City, and he asked Mr. Kerr what the expected cost to the City would be for implementation. Mr. Kerr said that he understood that the City would develop the placard, but he did not think the City would print and waterproof each placard, so he thought the cost would be minimal.

Ms. Safford reported that renters in the Adirondack area require that each visitor sign an agreement that includes all of the rules of the area. Mr. Kerr stated that he believed that most, if not all, rental agencies on the island also required renters to sign documentation that they are aware of the rules on the island.

Mr. Mills stated that he did not believe the amendment would be effective in reducing noise problems; the renters are currently disregarding signage, and he thought they would continue to do so.

Mr. Denton explained that the way the amendment is worded, it could easily require that a house have six (6) or more different signs around, and he believed that renters would become desensitized to the signage.

Ms. Ballow stated that having numerous signs posted around the outside of the house could be unattractive and could end up as litter.

Mr. Scott indicated that, if the renters are already ignoring signage, he did not see how additional signs would help.

Mr. Mills recommended in a motion that the amendment not be ratified based on the understanding that redundancy of signage will not be effective in addressing the noise problem. Mr. DiGangi seconded the motion and the vote was unanimous in favor of the motion.

MISCELLANEOUS BUSINESS

Mr. Mills asked about the status of the restaurant lease extension. Mr. Kerr explained that he did not know, but he would provide an update before the next meeting.

ADJOURNMENT

With there being no further business, the meeting was adjourned at 5:25 p.m.

Respectfully submitted,
Noel Scott, Chairman