

PLANNING COMMISSION
July 10, 2019

AGENDA

The Isle of Palms Planning Commission will hold its regular meeting on Wednesday, July 10, 2019 at 4:30 p.m. in the City Hall Conference Room, second floor, 1207 Palm Boulevard.

- A. Call to order and acknowledgment that the press and the public were duly notified in accordance with state law
- B. Public comments
- C. Approval of minutes: June 12, 2019
- D. New business: Annual legal briefing with City Attorney
- E. Old business
 - 1. Discussion of short-term rentals with Sergeant Kraig Thompson
 - 2. Discussion of short-term rentals
 - 3. Update on drainage planning
 - 4. Update on MOU with Water and Sewer Commission
- F. Miscellaneous business
- G. Adjourn

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
June 12, 2019

The Isle of Palms Planning Commission met in the City Hall conference room, 1207 Palm Boulevard on June 12, 2019 at 4:30 p.m. Members attending included Richard Ferencz, Ron Denton, Bill Mills, Vince DiGangi, Lewis Gregory and Lisa Safford; the Director of Planning Douglas Kerr was present as well. Phillip Pounds was absent.

Mr. Ferencz acknowledged that 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.

PUBLIC COMMENTS

Elizabeth Campsen, 32 Intracoastal Court, explained that she wanted to offer comments on the short-term rental issues. She stated that maybe 40 people at one time is too many. She stated that she felt it was the large party groups, like fraternity and sorority groups that disrupt neighborhoods. She also suggested that the Commission look at the timing of when the residential parking limitations expired and when the overnight parking limit for short term rentals comes into effect. She stated that she believed that there was a gap in coverage after 6 p.m. when there was not limit to the amount of on street parking a rental house could use. She suggested that the City look at the enforcement policies of Edisto Beach. She stated that they do not have a formal short-term rental policy, but they appear to be very stringent on generally livability codes like noise, trash and parking. She stated that it could be that a modification to the wording of the noise ordinance should be considered.

Mr. Mills asked if Ms. Campsen has had any enforcement issues. She answered that she has had instances where her neighborhood was overrun with cars and she has called about the issue, but she believes the cars may have been there during the time when the ordinance does not regulate nonresident parking.

Mr. Denton stated that to address the issue of the party houses, the Commission may want to focus on the ordinance's definition of family, as it appears to allow unrelated people to be considered a family. Ms. Campsen agreed and stated that she did not want to see the Isle of Palms become a party destination city.

APPROVAL OF MINUTES

Mr. Ferencz explained that the next item on the agenda was the approval of the May 8, 2019 minutes. Mr. Mills made a motion to approve the minutes and Mr. Denton seconded the motion. The vote was unanimous in favor of the motion.

MAKE RECOMMENDATIONS ON FUTURE PLANNING COMMISSION MEMBER SELECTION

Mr. Ferencz asked if the Commission was agreeable to reordering the agenda to move this item up, which they agreed. Mr. Kerr explained that this issue was touched upon at the previous meeting, but in summary the Personnel Committee had asked for feedback on how future Planning Commissioners should be selected, whether term limits would be helpful to get new ideas, what the ideal makeup of the Commission would be in terms of background and the location of their home. He stated that Wynette DeGroot, the City's Human Resources Officer, was present and could provide more information on the Personnel Committee's request. He stated that Mr. Ferencz had provided an outline of qualifications to consider as a starting point for discussions.

Ms. DeGroot explained that this task originated from the Personnel Committee's desire to get more people involved with the City. Mr. Kerr stated that in Chairman's note he advocated for four-year terms, up from two-year terms currently imposed, that are renewable at the discretion of City Council. Mr. Mills asked if the Chairman is ever consulted by the Personnel Committee when a member is up for renewal. Mr. Ferencz answered no. The Commission agreed with the Chairman's suggestion with the added provision that the Personnel Committee consult with the Chairman at renewal time to discuss the current needs of the Commission.

Mr. Kerr indicated that the Chairman's suggested composition of the Commission was a commercial real estate agent, a residential architect, a commercial general contractor, a financial manager, a marina operator, a real estate investor, and two at-large members, with two representatives living inside Wild Dunes.

The Commission generally agreed with this being the ideal makeup of the Commission, with the modification of there being one at-large member and one or two Wild Dunes residents.

The Chairman's list of alternate skills, if the ideal makeup is not available, included a residential real estate agent, a residential builder, a civil contractor, an investment adviser, someone with marina experience and a civil engineer.

The group agreed with the alternate skills the Personnel Committee should consider when selecting candidates.

The Chairman's list of what personality criteria the Committee should seek included being a team player, a full-time resident, knowledgeable of the island, available during

the day and committed to attendance. The Commission agreed that these are the traits the Committee should be seeking.

DISCUSS LOT COVERAGE ORDINANCE

Mr. Kerr explained that at the last meeting the group recommended that Council adopted an ordinance reducing the allowable lot coverage for SR1 and SR2 from 40% to 35% and requiring all new hard landscaping to be pervious. He explained that the staff had prepared an ordinance and Council had given the ordinance first reading, but the Commission had not seen the final version of the ordinance, so it was attached for review.

Ms. Safford stated that the draft included in the packet was consistent with the Planning Commission recommendation and made a motion to recommend that Council adopt the ordinance as amended. Mr. DiGangi seconded the motion and the vote was unanimous in favor of the motion.

DISCUSS SHORT TERM RENTAL ISSUES

Mr. Kerr explained that at the last meeting, the Commission agreed to pull together data on short term rentals. He stated that the packet included: a comparison of local short term rental regulations, the number of short term rentals licensed in the city over time, data on noise complaints over the last 12 months, data on the percentage of newly construed homes that are rented, a previously considered zoning scheme whereby the areas farther from the ocean had more stringent rental limitations, and the report from the Planning Commission's review of issues from a similar effort in 2009.

Mr. Kerr stated that from his research on the issue, clearly there are more municipalities regulating short term rentals so there are many more examples of how to approach the issues. He stated that he noticed a lot of communities include a cap on the total number of rentals, many communities limit the area where rentals are allowed, some require a safety inspection, and many require that the owners be present during the rental.

The Commission agreed that the analysis does not show any trends that indicate an increase in the number of rentals, or the number of complaints, or the number of buildings being built to be rented.

Mr. Kerr explained that in the next fiscal year, the Commission should have more data to review when a new tracking software is implemented that will track and map short

term rentals. He explained that he believes that the new software should identify short term rentals that are currently operating without a rental license.

Mr. Gregory stated that he would be interested to know if any conclusions can be drawn to determine whether a locally managed rental is less likely to have a complaint than a rental that is remotely booked and managed. Mr. Kerr stated that he should be able to gather this information from the noise complaint data compiled.

Mr. Mills asked about the enforcement of these standards and asked if the Livability Sergeant could be available at the next meeting. Mr. Kerr answered that he had spoken with the Livability Sergeant and he did think he could attend the July meeting and he would try to make these arrangements.

The Commission generally discussed the idea of formalizing the three strikes and you are out policy that is currently implemented administratively. The group agreed that this would be useful to discuss with the Livability Officer.

Mr. Mills stated that the City of Charleston requires that the rental license number be listed on any advertisement to easily monitor compliance. Mr. Kerr indicated this could be considered, but he did not know if it would be necessary if the compliance software is tracking compliance through location.

The group agreed that research should be done to ensure that the short-term rental parking policies are not contrary to the residential parking policies and that there is not an unintended time gap when neighborhoods are not protected. Mr. Kerr answered that at the time of implementing the short-term rental policies, the concern was too many cars on the rental property. Therefore, this could have the effect of pushing cars onto the right-of-way. Additionally, he stated that the short-term rental provisions predated the residential parking provisions, so it could be that the impact is different now.

For the next meeting the Commission to look at: whether or not having a rental locally managed impacts the likelihood of a complaint, whether the parking requirements needs to be amended to not impact the residential parking program, whether 40 people at once is too many, whether the three strikes and you are out provision needs to be formalized, whether or not an inspection of each rental creates liability issues for the City, and whether listing the rental license number on any marketing materials would be helpful for enforcement. Additionally, the group agreed that it would be useful to discuss some of these matters with the Livability Officer.

UPDATE ON DRAINAGE PLANNING

Mr. Kerr explained that the Commission had received conceptual materials from Thomas and Hutton regarding drainage. The group agreed that it would be helpful to have a joint meeting with City Council, Thomas and Hutton, and the Planning Commission to discuss next steps.

UPDATE ON MOU WITH WATER AND SEWER COMMISSION

Mr. Kerr explained that the City staff and the Water and Sewer Commission staff had met and they would try to facilitate a joint meeting regarding future steps to expand the public sewer system. He explained that in the meantime, the Public Works Committee of City Council has asked that the Planning Commission's recommended ordinance changes dealing with expanding the sewer system be brought back before Council for consideration.

MISCELLANEOUS BUSINESS

Mr. Kerr indicated that the Commission has still not had their annual legal briefing and he would try to schedule this for July. Mr. Mills asked if special attention could be paid to the legal issues involving short term rentals during the briefing. Mr. Kerr answered, yes, he would pass this request along to the City Attorney.

ADJOURNMENT

With there being no further business, the meeting was adjourned at 6:30 P.M.
Respectfully submitted, Richard Ferencz, Chairman

date	address	founded	
25-Aug	1 Intracoastal Ct	y	OWNER
2-May	1116 Ocean	y	? UNIT #
29-Apr	1116 Ocean	n	? UNIT #
28-Sep	126 Ocean	y	OWNER
20-Oct	13- 32nd	n	NO LICENSE
29-Aug	13 Sand Dollar	y	ISLAND RELATY
22-Aug	1300 Ocean	y	? UNIT #
6-Jun	1300 Palm	n	? UNIT #
1-Sep	15- 42nd	y	SWEETGRASS
13-Apr	17- 30th	y	ISLAND REALTY
5-Apr	17- 30th	n	ISLAND REALTY
3-Nov	2- 55th	y	CAROLINA ONE REAL ESTATE
4-May	2- 55th	y	CAROLINA ONE REAL ESTATE
19-Apr	2- 55th	n	CAROLINA ONE REAL ESTATE
15-Apr	2- 55th	n	CAROLINA ONE REAL ESTATE
13-Apr	2- 55th	y	CAROLINA ONE REAL ESTATE
21-Apr	2 Fishers Alley	y	WILD DUNES
26-May	2 Fishers Alleyq	n	WILD DUNES
5-Aug	200 Grand Pavilion	n	NO LICENSE
9-Nov	208 Charleston	y	OWNER
16-Jun	2104 Waterway	y	NO LICENSE
4-Nov	2108 Palm	y	CARROLL REALTY
14-Nov	220 Forest Trail	n	NO LICENSE
18-Oct	223 Forest Tr	n	FUN FAMILY RENTALS
18-Oct	223 Forest Tr	n	FUN FAMILY RENTALS
18-Oct	223 Forest Tr	y	FUN FAMILY RENTALS
10-Jun	2301 Palm	n	CAROLINA ONE REAL ESTATE
8-Jun	2308 Palm	y	OWNER
13-Aug	24 Sand Dollar	n	BEACHSIDE VACATIONS
14-Oct	24 Sandcrab Ct	y	BEACHSIDE VACATIONS
29-Dec	2401 Cameron-UP	n	RAVENEL ASSOC.
11-Oct	2402 Palm	n	EXCLUSIVE PROPERTIES
4-Jul	25- 31st	y	NO LICENSE
27-Oct	2504 Hartnett	y	WYNDHAM VACATION RENTALS
24-Aug	26- 42nd	n	CAROLINA ONE REAL ESTATE
7-Jul	26- 42nd	n	CAROLINA ONE REAL ESTATE
30-Jun	26- 42nd	y	CAROLINA ONE REAL ESTATE
19-Jun	26- 42nd	n	CAROLINA ONE REAL ESTATE
18-Jun	26- 42nd	n	CAROLINA ONE REAL ESTATE
18-Jun	26- 42nd	n	CAROLINA ONE REAL ESTATE
18-May	26- 42nd	n	CAROLINA ONE REAL ESTATE
5-Jan	2604 Hartnett	n	NO LICENSE
5-Jan	2604 Hartnett	y	NO LICENSE
1-Apr	2802 Cameron	n	NO LICENSE
30-Sep	2803 Palm	n	WYNDHAM VACATION RENTALS
19-May	2803 Palm	y	WYNDHAM VACATION RENTALS

29-Apr 2803 Palm	n	WYNDHAM VACATION RENTALS
27-Apr 2803 Palm	y	WYNDHAM VACATION RENTALS
20-Apr 2803 Palm	n	WYNDHAM VACATION RENTALS
13-Apr 2803 Palm	y	WYNDHAM VACATION RENTALS
5-Apr 2803 Palm	n	WYNDHAM VACATION RENTALS
22-Mar 2803 Palm	y	WYNDHAM VACATION RENTALS
2-Mar 2803 Palm	n	WYNDHAM VACATION RENTALS
13-Apr 2804 Cameron	y	OWNER
21-Oct 2807 Palm	y	ISLAND REALTY
31-Aug 2807 Palm	n	ISLAND REALTY
14-Aug 2807 Palm	n	ISLAND REALTY
17-Jul 2807 Palm	y	ISLAND REALTY
19-May 2807 Palm	y	ISLAND REALTY
11-May 2807 Palm	n	ISLAND REALTY
16-Jun 286 Forest Tr	y	ISLAND REALTY
4-May 3003 Cameron	y	CAROLINA ONE REAL ESTATE
4-Sep 3004 Cameron Blvd	y	COASTALINA REALTY
20-Oct 3007 Cameron	y	KING AND SOCIETY
7-Jul 3009 Palm	y	OWNER
27-Apr 3017 Waterway	n	NO LICENSE
28-Apr 302 Carolina	y	KING AND SOCIETY
19-Apr 302 Carolina	y	KING AND SOCIETY
4-Apr 302 Carolina	n	KING AND SOCIETY
1-Apr 302 Carolina	n	KING AND SOCIETY
26-Mar 307 Charleston	y	OWNER
19-Mar 307 Charleston	y	OWNER
19-Mar 309 Charleston	y	NO LICENSE
12-May 31 Grand Pavilion	y	WILD DUNES
7-May 3103 Palm	y	WYNDHAM VACATION RENTALS
2-Mar 3207 Palm	y	EXCLUSIVE PROPERTIES
18-Jul 3302 Cameron	y	Beachside Vacations
27-May 3307 Palm	y	Carolina One Real Estate
26-May 3307 Palm	n	
3-Sep 3403 Palm	n	Exclusive Properties
4-Jul 3403 Palm	y	
12-May 3403 Palm	y	
6-Oct 3407 Palm	y	Wyndham Properties
5-Oct 3706 Cameron	y	Seacoast Properties
1-Sep 3709 Cameron	y	Carroll Realty
21-Jul 3902 Palm	y	Beachside Vacations
8-Jun 4- 33rd	n	Wyndham Properties
20-May 4- 45th	n	Island Realty
26-May 4003 Hartnett	y	No unit provided- owner manages them all
28-Sep 406 Palm	n	No license
26-Sep 411 Carolina	y	Sweetgrass Vacation Rentals
2-Jun 411 Carolina	y	
20-May 411 Carolina	y	

19-Oct 5- 20th	n	Owner Managed
4-Apr 5- 20th	y	
9-Jul 5- 45th	y	No License
13-May 608 Ocean	y	Exclusive Properties
12-May 608 Ocean	y	
12-May 608 Ocean	y	
12-May 610 Ocean	y	East Island Rentals
13-May 612 Carolina	y	Carolina One Real Estate
11-May 612 Carolina	y	
20-Jul 612 Ocean	y	
5-Nov 614 Ocean	y	Island Realty
27-Oct 614 Ocean	y	
7-Oct 614 Ocean	n	
26-May 617 Ocean	y	Island Realty
20-Apr 617 Ocean	y	
20-Sep 619 Ocean	y	
13-May 619 Ocean	y	Island Realty- No license
2-Apr 619 Ocean	n	
24-Aug 7- 52nd Ave	y	No License
12-May 7- 52nd Ave	y	
12-May 7- 52nd Ave	y	
12-May 7- 52nd Ave	n	
27-Oct 700 Ocean	n	Carroll Realty
26-Aug 704 Carolina	y	Isle of Palms Vacation Homes
26-Sep 706 Ocean	n	Beachside Vacations
3-May 8- 30th	y	Sweetgrass Vacation Rentals
19-Apr 8- 30th	y	
5-Oct 8- 53rd	n	Sweetgrass Vacation Rentals
10-Jun 8 Sand Dune	n	Carroll Realty
9-Sep 800 Carolina	y	Owner Managed
24-May 8000 Palmetton	n	No unit provided
7-May 806 Carolina	y	Island Realty- No license
15-Aug 806 Ocean	n	
15-Aug 806 Ocean	y	
28-Apr 806 Ocean	n	
23-Sep 814 Ocean	y	No license
21-Sep 9- 29th	y	Carolina One Real Estate
27-Apr 9- 29th	y	
22-Dec 9002 Palmetto	n	No unit provided
24-Jul 907 Ocean	y	Owner Managed
9-Sep 914 Ocean	n	wyndham Properties