PLANNING COMMISSION
October 11, 2023

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, October 11, 2023, at 4:30 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	September 13, 2023
C.	New business	Discussion of draft noise ordinance and decibel levels presentation
		Discussion of stormwater recommendations from drainage masterplan
D.	Old business	Comprehensive Plan review updated draft
E.	Miscellaneous business	
F.	Adjourn	

Planning Commission Meeting
4:30pm, Wednesday, September 13, 2023
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, Ron Denton, David Cohen, Jeffrey Rubin, Marty Brown, Sandy Stone, Tim Ahmuty

Staff present: Director Kerr, Zoning Administrator Simms

2. **Approval of minutes**

Ms. Nagelski made a motion to approve the minutes as amended of the July 12, 2023 regular meeting. Mr. Cohen seconded the motion. The motion passed unanimously.

3. **Citizen's Comments**

Mr. Al Clouse's comments are attached to these minutes.

4. **New Business**

Discussion of noise ordinance issues with Police Department representatives

Chief Cornett explained that the current noise ordinance is not objective and presents a problem when trying to defend tickets in court. He shared year-to-date noise complaint data with the Commissioners. He stated the majority of noise complaints are related to amplified music and loud voices.

He and his officers have been taking readings around the island and the average decibel level from readings taken in August was 64 dba. He would like to see decibel levels in the new ordinance so that his officers have objective evidence to present in court.

Mr. Cohen expressed concerns about the proposed noise ordinance. He said it is not practical because the Police Department will not be enforcing the ordinance on everything that creates a noise violation, like lawn equipment.

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B. **Discussion of task from City Council regarding noise ordinance**

Director Kerr said the City Council would like for the Planning Commission to discuss whether or not there is an issue that requires changing the City code, to discuss whether or not the noise ordinance should include decibel levels, and if there should be decibel levels, what should those levels be.

Mr. Cohen said he had no issues with including decibel levels in the ordinance as long as they are well defined. He suggested that in order for a ticket to be issued there needs to be a complaint made and a decibel level measured and recorded. He noted that an individual's background environment determines what they hear.

Director Kerr will set up equipment for the next meeting to help understand decibel levels. Mr. Cohen will add some "technical polish" to the proposed noise ordinance.

C. **Discussion of stormwater recommendations from drainage masterplan**

Director Kerr reviewed the changes to the City's development standards suggested by the Drainage Master Plan. These will be discussed more deeply at the next meeting.

D. **Discussion of City Council/Planning Commission workshop request – 9/26/23**

Director Kerr shared with the Commission that City Council would like to discuss the Commission's recommended changes regarding short-term rentals prior to the City Council meeting on September 26. He said they did not like the recommendation regarding single room rentals, and they would like to further discuss the changes to the occupancy limits on new or significantly remodeled short-term rental houses.

5. **Old Business**

A. **Comprehensive Plan review updated draft**

Director Kerr said another draft is forthcoming.

B. **Update on Sea Level Rise Adaptation Plan**

Director Kerr said Seamon & Whiteside has been collecting initial information for the plan and will likely come speak to the Planning Commission in the future.

5. **Adjournment**

The next meeting of the Planning Commission will be Wednesday, October 11, 2023 at 4:30pm.

Mr. Stone made a motion to adjourn, and Mr. Brown seconded the motion. The meeting was adjourned at 7:01pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Planning Commission 9/13/23; Clouse Comments (Meeting No. 22 since 4/13/2022) Regarding NOISE ORDINANCE; NUISANCE.

We understand your mission.

Respectfully, we hope you understand ours.

Our residential neighborhood does not deserve to have decibels dictate our livability. If we tell you we are disturbed, then we are disturbed. If we need to execute affidavits, we will. Charleston and Folly Beach are not governed by decibels. The people in Charleston do not put up with a nuisance.

I will not drag you through our history, however, in previous meetings with the Public Safety Committee, any protection provided to us under the current ordinance, by a 2 to 1 vote, was slaughtered from the criteria. Totally pro resort!

We encourage you to differentiate between noise from a hotel, as compared to noise from a hotel which is located in a residential neighborhood. Noise Duration; 24/7/365.

We encourage you to not allow the hotel a double standard when compared to a residential neighborhood.

Our livability since April 2021 is not what you would prescribe to your Mom and Dad.

Hotel distance from the complainants. Mrs. Williamson 25 feet; Clouse 62 feet. **Illustrate.**

Please let us remind you, over fourteen (14) months ago, we requested a noise abatement study; following up with a second request in November 2022. The resort egregiously decided to make a recipe for more noise (sound study). We encourage all of you to tour the Sweetgrass Inn; you will notice the design projects directly south into a residential neighborhood. An elevated damn is also in place to protect their empire; forcing a potential surge into a residential neighborhood. Aesthetically, complemented by a "we ran out of money" finish on the south side of their property.

I have called the IOP Police over **sixty-five (65) times,** which resulted in five (5) tickets, all from the **Concert from Hell** on November 4, 2022. **A little over 7%**. Does something seem amiss about this?

9/12/23 City Council packet; Livability Statistics August 2023; Noise: **17 complaints; zero (0) citations.**

We know your mission is not enforcement.

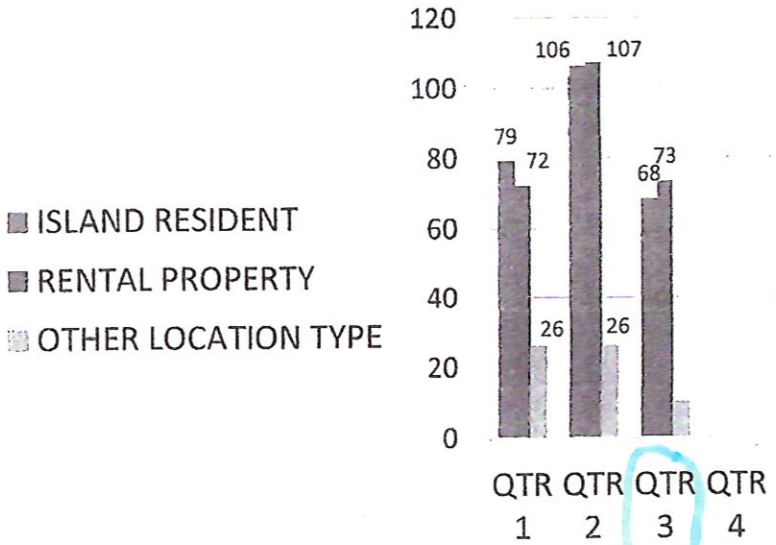
We love the cicadas!

ISLE OF PALMS POLICE DEPARTMENT
MONTHLY REPORT
AUGUST 2023

Livability Statistics

LIVABILITY COMPLAINTS	ISLAND RESIDENT	RENTAL PROPERTY	OTHER LOCATIONS	TOTAL COMPLAINTS	CITATIONS	WARNINGS	UNFOUNDED	COMPLAINT DISPOSITION
NOISE	5	7	5	**17**	0	6	11	**17**
FIREWORKS	0	0	0	**0**	0	0	0	**0**
UNKEMPT LOTS	1	1	0	**2**	0	2	0	**2**
RIGHT-OF-WAY OBSTRUCTION	2	0	0	**2**	0	2	0	**2**
BUSINESS LICENSE	6	2	0	**8**	8	0	0	**8**
OTHER RENTAL PROPERTY VIOLATIONS NOT LISTED	0	0	0	**0**	0	0	0	**0**
SHORT TERM RENTAL OCCUPANCY VIOLATIONS	0	0	0	**0**	0	0	0	**0**
SHORT TERM RENTAL VEHICLE LIMIT VIOLATIONS	0	0	0	**0**	0	0	0	**0**
ROLL CART VIOLATIONS	18	22	0	**40**	11	29	0	**40**
TOTAL	**32**	**32**	**5**	**69**	**19**	**39**	**11**	**69**
% BY CATEGORY	**46%**	**46%**	**7%**		**28%**	**57%**	**16%**	

Livability Complaint by Property Type



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JULY & AUGUST

ORDINANCE 2023-08

AN ORDINANCE AMENDING TITLE 9, OFFENSES, CHAPTER 2, OFFENSES AGAINST PUBLIC PEACE, TO REPEAL AND REPLACE SECTION 9-2-5, NOISE, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 9-2-5, "Noise," is hereby deleted in its entirety and replaced with the following new Section 9-2-5, "Noise," to state as follows:

"**Sec. 9-2-5. Noise.**

a. *Definitions*. In addition to the common meaning of words, the following definitions shall be used in interpreting this section.

1. *A-weighted scale*. ~~The sounds pressure level, in decibels, as measured with the sound level meter using the "A" weighted network (scale). The standard unit notation is "dB(A)."~~ The correction factor applied to a sound pressure measurement as defined in ANSI/IEC documentation.

2. *Amplified sound*. ~~Sound augmented by any electronic means which increases the sound level or volume.~~ the use of any radio, TV, amplified musical instrument (including but not limited to brass or drum instruments), or other amplification device or apparatus making or reproducing music, voice or other sounds.

3. *ANSI*. American National Standards Institute or its successor bodies.

4. *Complainant*. Any owner, lessee, manager or person with a legal interest in real property within the corporate limits of the City who reports to the police department being disturbed by sound heard at their residence or place of business and not originating therefrom.

~~5. *Construction*. On-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth moving, blasting and landscaping.~~

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~~6. *dB(A)*. Sound level in decibels, determined by the "A" weighted scale of a standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI, S 1.4-1971, or its successor publication(s).~~

7. *Decibel (dB)*. ~~a unit of level which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio of two amounts of power is ten times the logarithm to the base ten of this ratio.~~ A logarithmic (dimensionless) measure used in describing the amplitude of sound.

8. *Excessive noise*. Any unnecessary or unusually loud sound or any sound which disrupts the peace and quiet of any neighborhood and which does annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensibilities.

9. *Emergency work*. Work made necessary to restore property to a safe condition, work required to protect, provide, or prevent persons or property from danger or potential danger, or work by a private or public utility when restoring utility service.

10. Equivalent Continuous Sound Level. The constant sound level that has the same energy as the actual time-varying sound level over the measurement period as defined in ANSI/IEC documents for sound level meters. Also referred to as time-averaged sound level and abbreviated as LAeq, $L_A$eq, Lavg

11. *IEC*. The International Electrotechnical Commission

12. *Person*. Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group or agency.

13. *Plainly Audible*. Any sound that can be detected by a person using his or her unaided hearing faculties, including, but not limited to, the understanding of spoken speech, comprehension of whether a voice is raised or normal, or comprehension of musical rhythms. The detection of the rhythmic bass component of the music is sufficient to constitute a plainly audible sound.

14. *Receiving property*. Any residence or place of business on which uninvited noise is plainly audible.

15. *Raucous sound*. Any sound created by yelling, screaming, the use of horns, whistles or similar devices, or the banging of

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objects with the primary purpose of creating noise.

16. *Sound level*. ~~In decibels, a weighted sound pressure level determined by the use of a sound level meter whose characteristics and frequency weightings are specified in ANSI standards.~~ See Equivalent Continuous Sound Level

17. *Sound level meter*. ~~is an instrument including a microphone, an amplifier, an output meter, and "A" frequency weighting network for the measurement of sound levels that conforms to American National Standards Institute (ANSI) Standard S 1.4-1971 "Specifications for Sound Level Meters," or the latest revision.~~ An instrument that measures time-averaged, frequency-weighted sound levels and is certified as meeting the type -2 requirements of ANSI/ASA S1.4-2014/Part 1 / IEC 61672-1:2013. Commonly referred to as an integrating-averaging or integrating sound level meter.

~~18. *Sound pressure level*. In decibels, twenty (20) times the logarithm to base 10 of the ratio of the magnitude of a~~

~~particular sound pressure to the standard reference pressure. The standard reference pressure is 0.0002 microbars.~~

19. *Sound source*. Any person, animal, device, operation, process, activity, or phenomenon which emits or causes sound.

20. *Uninvited noise*. Noise not originating from the receiving property.

b. ~~*Noise*~~ *Sound measurement*. ~~Noise~~ Sound measurements shall be employed by the police department in the following manner:

1. ~~Noise~~ Sound measurements shall be made using a sound level meter taken from anywhere within the boundary line of the complainant's property. If measurement is not possible from the complainant's property, ~~noise~~ sound measurements may be taken at the nearest boundary line of the public right-of-way.

2. No individual other than the sound meter operator(s) shall be within ten (10) feet of the sound level meter during the sample period.

3. Sound measurements shall be conducted at that time of day or night when the suspect noise is emitting sound.

4. The sound level meter shall be employed in accordance with the manufacturer's instructions to measure the Equivalent Continuous Sound Level using A-weighted scale.

5. Sound measurements shall be taken over a period of 30 seconds or greater. If the measurement exceeds the threshold by 5dBA or more after 15 seconds, testing may be stopped and the sound deemed excessive noise.

6. It shall be unlawful for any person to interfere, through the use of sound or otherwise, with the taking of sound level measurements.

c. *Maximum decibel levels*. Unless otherwise specifically indicated, it shall be unlawful for any person to cause or allow the emission of sound from any source or sources which, when measured pursuant to paragraph (b) above, to exceed:

1. ~~60~~70dB(A) during daytime hours (~~10~~7:00 a.m. to 10:00 p.m. Sunday through Thursday and ~~10~~7:00 a.m. to 11:00 p.m. Friday and Saturday) for residential and rental properties,

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2. 75dB(A) during daytime hours (~~10~~7:00 a.m. to 10:00 p.m. Sunday through Thursday and ~~10~~7:00 a.m. to 11:00 p.m. Friday and Saturday) for commercial establishments; and
3. The maximum decibel level shall not exceed 85 dB(A) during daytime hours (~~10~~7:00 a.m. to 10:00 p.m. Sunday through Thursday and ~~10~~7:00 a.m. to 11:00 p.m. Friday and Saturday) in the GC-2 general commercial zoning district.

4. 55dB(A) during ~~evening~~ nighttime hours (10:00 p.m. to ~~10~~7:00 a.m. Sunday through Thursday and 11:00 p.m. to ~~10~~7:00 a.m. Friday and Saturday) for residential properties, rental properties, and commercial establishments.

~~The sound meter operator may cease taking readings as soon as the readings already taken show a violation of this ordinance.~~

d. *Excessive noise prohibited.*

1. It shall be unlawful for any person to intentionally produce, intentionally cause to be produced, or intentionally participate in the producing any excessive noise within the municipal limits.

2. In determining whether a sound is excessive noise for purposes of this section, factors that may be considered include, but are not limited to:

    a. The volume of the noise;
    b. The intensity of the noise;
    c. Whether the nature of the noise is usual or unusual;
    d. Whether the origin of the noise is natural or unnatural;
    e. The volume and intensity of the background noise, if any;
    f. The proximity of the noise to residential sleeping facilities;
    g. The nature and zoning of the area within which the noise emanates;
    h. The time of the day or night the noise occurs;
    i. The duration of the noise; and
    j. Whether the noise is recurrent, intermittent, or constant.

The determination of whether a noise or sound is excessive noise shall be made without considering the content of any message conveyed by the noise or sound.

e. *Specific prohibitions*. The following acts are specifically prohibited:

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1. Pets. It shall be unlawful to keep, stable, harbor or maintain any animal or bird which disturbs the comfort or repose of any reasonable person of ordinary sensibilities in the vicinity by making continually or frequently loud noise.

2. Mufflers. Sound emitting from a motor vehicle's muffler in violation of S.C. Code Ann. § 56-5-5020.

3. Loudspeakers, etc. It shall be unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the street, sidewalks, parks or other outdoor public places owned or under the control of the City in a manner as to be plainly audible at a distance of [50] [25] feet except as permitted under paragraph (g) of this section; provided, however, that any City-owned property subject to a commercial lease and a noise control agreement or permit is exempt from the requirements of this paragraph.

4. Hawking or peddling. It shall be unlawful for any person to make any noise on a public street or in such proximity thereto as to be distinctly and loudly audible on such street by any kind of crying, calling, or shouting or by means of any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument, or other device for the purpose of attracting attention or of inviting patronage of any persons to any business whatsoever. It is the express intention of this paragraph to prohibit hawking, peddling, soliciting or using other loud noises to attract attention to a business and not to prohibit the spill-over noise emanating from a lawfully operating business.

5. *Raucous or Amplified Sound Nighttime*. It shall be unlawful for any person to create or cause to create any raucous sound or amplified sound in such a manner that during the hours from 10:00 p.m. to 10:00 a.m. Sunday through Thursday, or between the hours of 11:00 p.m. and 10:00 a.m. Friday and Saturday:

    a. Is plainly audible in any adjacent dwelling or other residence; and

    b. Exceeds (50) dBA when measured pursuant to paragraph (b) above.

6. *Raucous or Amplified Sound Daytime.* It shall be unlawful for any person outside the GC-2 zoning district to create or cause

to create any raucous sound or amplified sound in such a manner that during the hours between 10:00 a.m. and 10:00 p.m. Sunday through Thursday, or between the hours of 10:00 a.m. and 11:00 p.m. :

1. Is plainly audible at a distance of two hundred [200][400] feet or more from any property line bordering the noise source; and

2. Exceeds [70)][75)] dBA when measured pursuant to paragraph (b) above..

f. *No employee liability*. No employee of any place of business acting within the scope of his or her employment shall be liable for a violation of this section, unless an employee is also an owner of the business.

g. *Exceptions*. This section shall not apply to the following sources:

1. Any City-hosted, City-sponsored or City-sanctioned special events.
2. Any city vehicle engaged in city business.
3. Excavations or repairs of bridges, streets or highways, by or on behalf of the City, county or state during the night, when the public welfare and convenience renders it impossible to perform the work during the day; nor shall the same apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity therefore.
4. Construction activities performed by or on behalf of a governmental agency, including, but not limited to, construction, repair or maintenance of public buildings and drainage facilities, dredging activities, beach renourishment activities, and other public projects.
5. It shall be ~~un~~lawful for any contractor, subcontractor, landscaper, supplier or vendor to operate or use any piledrivers, steam shovels, pneumatic hammers, derricks, steam or electric hoists, or other apparatus, tools or equipment, the use of which is attended with loud or disturbing noises, ~~at any time other than~~ between the hours of 7:30 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 4:00 p.m. on Saturday. Stationary power equipment such as table saws, miter saws, compressors shall not be operated within 20 feet of a property boundary unless in an enclosed space. No

such use shall be permitted on Sundays, or on the following legal holidays: New Year's Day; Memorial Day; Fourth of July; Labor Day; Thanksgiving Day; and Christmas Day. Approval for such use may be granted by the City for performing emergency repairs outside of the hours specified. ~~Nothing in this paragraph shall be construed to prohibit an owner or member of an owner's immediate family from performing maintenance, repairs, or other work on their own property at any time, provided that such work is otherwise in compliance with City ordinances.~~

6. It shall be lawful for an owner or member of an owner's immediate family to perform maintenance, repairs, or other work on their own property [at any time] [between the hours of 7:30 a.m. and 10:00 p.m., Monday through Thursday, and between the hours of 9:00 a.m. and 10:00 p.m. on Saturday and Sunday], provided that such work is otherwise in compliance with City ordinances.

7. A commercial property or business owner may apply to City Council for an exception to this ordinance, and City Council may issue a permit that modifies the maximum decibel levels as it deems reasonable in light of the circumstances to support public good, infrastructure, and resources of the City, including the time and resources of law enforcement and code enforcement.

h. *Violations*. Any person who violates any provision of this section shall be fined not more than $500 or imprisoned for not more than 30 days. However, no penalty shall exceed the penalty provided by state law for similar offenses. A separate offense shall be deemed committed on each day that a violation occurs or continues."

i. In addition to the penalties set forth in subsection (h) of this section, five (5) repeated violations of this section by a person who owns, manages, operates, is a business agent of, or otherwise controls a business establishment may result in the suspension or revocation of any business license issued to the premises on which the violations occurred in accordance with section 7-1-15.

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2023.

Phillip Pounds, Mayor

(Seal)
Attest:

Nicole DeNeane, City Clerk
First Reading:_____
Public Hearing:_____
Second Reading:_____
Ratification:_____

Title	Chapter	Article	Section(s)	Existing Ordinance	Stormwater Management Recommendation
Title 5 - Planning & Development	Chapter 4 - Zoning	Article 1 - General Provisions	Sec. 5-4-12 - Additional Regulations	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.	Revise existing ordinance to read as: 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, unless the elevated surface does not exceed 7.4 ft (NAVD 88) of elevation.
Title 5 - Planning & Development	Chapter 4 - Zoning	Article 1 - General Provisions	Sec. 5-4-12 - Additional Regulations	q) Any decrease in a lot's existing ground elevation is strictly prohibited.	Omit Ordinance
Title 6 - Health and Sanitation	Chapter 1 - General Provisions	Article C - Maintenance of Property	Sec. 6-1-32 - Duty to keep property clean	c) It shall be unlawful to sweep or push litter from buildings, property, sidewalks and strips into streets, sidewalks and the storm drainage systems. Sidewalk and strip sweepings must be picked up and put into household or commercial material containers	Consider expanding reference to storm drainage system to include explicitly natural and man-made drainage courses (i.e. ditches).
Title 5 - Planning & Development	Chapter 5 - Land Development Regulation	(-)	NEW ORDINANCE: Engineer Review of Development	None	A third-party engineer can be hired by the city to review development plans to determine if they are in compliance with the land development regulations and other applicable Ordinances.
Title 5 - Planning & Development	Chapter 5 - Land Development Regulation	(-)	NEW ORDINANCE: Balance of Natural Sinks (Depressional Storage)	None	For properties that fall within a select parameter*, any fill of sinks on the property must be accompanied with an equal volumetric storage for stormwater that would be retained by that sink. This may be alleviated using BMPs or other forms of stormwater storage. Areas exempt from the required retention include: a) Stormwater runoff on the property flows directly into a creek or the Intercoastal Waterway. b) Stormwater runoff on the property flows directly into a stormwater ditch. c) Stormwater runoff on the property flows directly into the stormwater drainage system. The following BMPs can be considered as potential storage: a) Cisterns b) Rain Gardens c) Rain Barrels d) Retention Ponds

*Note: The select parameters of this proposed ordinance may need to be studied to determine applicability and effectiveness across flood prone areas of the City.

Table 3: Development Recommendations Table

10.0 PRIORITY IVVESTMENT

PRIORITY INVESTMENT

As required by the Priority Investment Act of 2007, an analysis of upcoming projects and likely federal, state and local funds available for these projects was conducted. Projects can include roads, parks, government facilities, pathways, drainage and stormwater infrastructure improvements, or beach renourishment.

Overview

In creating this element of the Comprehensive Plan, the Planning Commission began by assembling a list of all capital improvement projects listed or referenced throughout all elements of this plan.

The Commission also reviewed the current practice of developing the 10-Year Capital Improvement Plan (Ten-Year CIP)and identified that Plan as the key document to tie to this element.

The current process for creating the Ten-Year CIP involves the City staff and Committees of Council reviewing initiatives and prioritizing expenditures based on need, anticipated funds, staff to manage projects, funding sources, project seasonality, and organizational prioritization. The Ten-Year CIP is reviewed and modified on an annual bases and approved as

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~~part of the fiscal planning cycle. This process is well-established and has been successful for the City.~~

~~In the goals and strategies section of this plan, there are suggestions on how this process might be improved by having the Planning Commission review the status of projects identified in this element and compared against the draft Ten-Year CIP to ensure the two are aligned.~~

~~*Funding*~~

~~A summary of the traditional revenue sources are shown in the chart below. Most of the revenue for the City comes from property taxes (25%), building permits and business/ rental licenses (22%) and accommodations taxes (19%).~~

~~In addition to these three major sources of funding, the following are other common revenue sources for the City include a Beach Preservation Fee, Hospitality Tax, bond proceeds, parking fees, marina leases, and debt proceeds. :~~

~~Beach Preservation Fee…. Bond Proceeds….~~

~~Hospitality Tax….~~

~~Fund Balance….~~

~~Local Option Sales Tax…. Parking Fees….~~

~~Marina….~~

~~Debt Proceeds….~~

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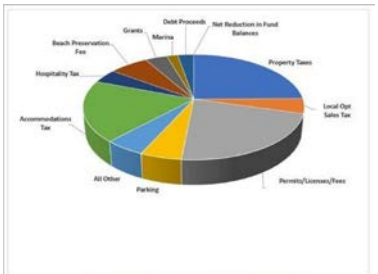

FY 2022 Revenue Summary - All Funds		
Property Taxes	4,806,000	23%
Local Opt Sales Tax	890,000	3%
Permits/Licenses/Fees	4,507,000	22%
Parking	1,069,250	5%
All Other	992,484	5%
Accommodations Tax	3,872,665	19%
Hospitality Tax	859,000	4%
Beach Preservation Fee	1,274,663	7%
Grants	726,000	4%
Marina	360,081	2%
Debt Proceeds	515,000	3%
Net Reduction in Fund Balances	-	0%
Total Revenues + Use of Fund Bal	19,813,340	100%

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Outside of these common revenue sources, the City will need to look at less traditional funding sources to accomplish the goals established in this plan. Recently It is expected mmore grants funds have could become available than have traditionally been and the City should position itself to take advantage of those funds. Specific funds that could be targeted include:

- **U.S. Department of Commerce, Economic Development Administration (EDA)**- In April of 2018, a notice of funding opportunity was issued by EDA for Disaster Supplemental Funds related to the many disasters that occurred in recent years. This funding is for **$587M** in grants to assist communities in TX, LA, FL, GA, **SC**, PR, & VI. These funds are available until they are all spent. Regionally, the Atlanta office, which serves SC, was allocated **$147,362,000** of the $587M.

- **Federal Emergency Management Agency (FEMA), Pre-Disaster Mitigation Program (FEMA PDM)**- On August 21, 2018, FEMA released the Notice of Funding Opportunity for the 2018 Pre-Disaster Mitigation Program (PDM). This funding is a national competition, so any project submitted must successfully compete against other projects submitted from

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all over the United States. (Note: The City of Isle of Palms and the Isle of Palms Water and Sewer Commission successfully received funding under this program several years after Hurricane Hugo.) The funding is for $150M in grants spread among all 50 states and territories. PDM grants are awarded on a competitive basis and without reference to state allocations, quotas, or other formula-based allocation of funds.

FEMA- Building Resilient Infrastructure and Communities (BRIC) Building Resilient Infrastructure and Communities (BRIC) will support states, local communities, tribes and territories as they undertake hazard mitigation projects, reducing the risks they face from disasters and natural hazards. BRIC is a new FEMA pre-disaster hazard mitigation program that replaces the existing Pre-Disaster Mitigation (PDM) program.

Department of Housing and Urban Development (HUD) Urban Entitlement, Funding Grant Administered by Charleston County- In approximately December or early January each year, Charleston County publicly notices the availability of funds under this program. These are funds appropriated by Congress and then allocated to the States and administered by Charleston County.

South Carolina Rural Infrastructure Authority (RIA)- The South Carolina Rural Infrastructure Authority operates both grant and loan programs which may be used for water, wastewater and drainage. Grants are for basic infrastructure or Economic Development Infrastructure and information disseminated for FY18 showed $25,000,000 in funds available.

Place holder for other grants- County road grants are missing here including the Charleston Area Transportation Study (CHATS) and Transportation Sales Tax (TST)

Priority Investment list and potential funding sources

Install new and repair existing stormwater infrastructure

Because the island is relatively low in elevation and prone to drainage problems, the City will need to identify the most problematic drainage areas and find solutions to move stormwater to the appropriate outfalls. In the Public Facilities element of this plan, several drainage projects are

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identified. In addition to these projects, many other areas drain poorly, which should be addressed by future drainage projects.

Synopsis of issue and potential funding source- to be added.

Install sewer lines to every property not currently served

Installation of public sewers in areas served by septic systems and having marginal soils should be considered a priority for future projects. Specifically, septic tank systems in the areas near the beach between 42nd - 53rd Avenues, adjacent to the Recreation Center from 26th to th Avenues 29

and in low areas of the Forest Trail subdivision are affected by flooding and seasonal high water and would benefit from public sewer service.

Synopsis of issue and potential funding source- to be added.

Renourish beach

Synopsis of issue and potential funding source- to be added.

Underground electrical lines

Synopsis of issue and potential funding source- to be added.

Because many of the projects included in this element are roadway and drainage improvements, they could be funded by the Charleston County RoadWise program. Other infrastructure projects will probably need to be funded in a traditional manner because the Isle of Palms does not qualify as low-income, making grant money unlikely.

A large portion of the City's electrical distribution service, which is provided by South Carolina Electric and Gas, is provided through lines running above ground. It would be desirable from a maintenance and appearance standpoint to have all of the lines transferred to an underground distribution system.

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Providing a safe and efficient system for cyclists, pedestrians, golf carts and low speed vehicles to circulate the island will reduce roadway congestion and parking problems and should be a priority.

Key Issues

- Improve transportation and drainage facilities
- Improve public health by extending the public sewer system to areas service by septic systems in marginal soils

Goals and Implementation Strategies

Goal 109.1: Improve drainage in those areas that drain poorly.

Strategy 109.1.1: Identify problem areas and appropriate funding sources.

Goal 109.2: Improve traffic flow and reduce congestion on the roadways of the island.

Strategy 109.2.1: Expand the system of bike lanes and walking paths.

Goal 109.3: Improve public health by extending the public sewer system

to
areas service by septic systems in marginal soils.

Strategy 109.3.1: Identify problem areas and appropriate funding sources.

On May 23, 2007, the General Assembly officially approved the Priority Investment Act. This legal framework mandated Planning Commissions to seamlessly integrate assessments related to priority investments into the broader scope of comprehensive planning. The Act explicitly required that Comprehensive Plans incorporate a novel Priority Investment Element. This specific component was designed with the aim of assessing the anticipated availability of financial resources from federal, state, and local sources, earmarked for public infrastructure and facilities, over the coming decade.

Additionally, the Act directed the identification of projects that should be allocated funding during this time frame, in order to effectively address crucial requirements concerning public infrastructure and facilities. These encompassed essential aspects such as water, sewer, and road systems.

The City's 10 yr Capital Improvements Plan (Appendix G) is a schedule for the financing and construction of physical assets such as buildings, streets, sewers, and recreation facilities. The plan extends over a 10 year planning period indicating the beginning and ending date of each project, the amount to be expended in each year, the methods of financing those expenditures and the anticipated operating costs that will be associated with them. The City defines a capital improvements project as a project to acquire or construct an asset generally with a value exceeding $25,000 and an expected life of 10 years or more.

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Capital improvement project appropriations continue in effect for the life of the project. It is characteristic that these projects span several years due to the scope of work being performed.

The Priority Investment Element serves a distinct purpose: linking the capital improvement needs that have been identified in other plan elements with projected revenues spanning the next ten years.

In creating this element of the Comprehensive Plan, the Planning Commission assembled a list of all capital improvement projects listed or referenced throughout all elements of this plan.

The Commission also reviewed the current practice of developing the 10- Year Capital Improvement Plan (Ten-Year CIP) and identified that Plan as the key document to tie to this element.

At present, the formulation of the Ten-Year Capital Improvement Plan (CIP) entails the active participation of City staff and Council Committees. This collaborative effort involves the evaluation of initiatives and the ranking of expenditures according to factors like urgency, projected funding, available project management resources, funding origins, project scheduling in relation to seasons, and organizational preferences.

The Ten-Year CIP undergoes an annual assessment and adjustment, forming an integral part of the fiscal planning cycle. This well-established procedure has proven to be efficacious for the city.

Within the objectives and strategies segment of this plan, there are recommendations for enhancing this procedure. One such suggestion involves involving the Planning Commission in evaluating the progress of projects outlined in this element. This evaluation would then be compared with the preliminary Ten-Year Capital Improvement Plan (CIP) to guarantee their congruence and alignment.

Virtually any new capital investment will require staffing, materials, power and other services if it is to serve its purpose to the community. Some capital projects will generate revenues to the City and will help to promote the community's general economic health and well-being, as well as enhance its quality of life. While it is difficult to quantify the exact costs of future operations and maintenance of a project, most can be estimated with reasonable accuracy based upon experience.

Analysis of Projected Federal, State and Local Funds

Below is an inventory of available funding opportunities that have been used by the City of Isle of Palms (*) or could be made available in the future.

An ***ad valorem tax**, a tax per unit of property value, is levied upon all real property and certain classes of tangible personal property as that property is assessed and equalized for State and County purposes for any tax year. As a matter of local policy, only current taxes are used to meet recurring operating expenditures. Because of the difficulty in predicting when prior year delinquencies might become available, these delinquent taxes and penalties are used to support the Capital Projects Fund.

A ***building permit fee** charged for a written warrant or license issued by a local building official that authorizes the construction or renovation of a building or structure at a specified location.

Liquor Sale Licensing and Revenue purchased from the State allows restaurants, recreation facilities and festival vendors to serves alcoholic beverages. A portion of the proceeds of these license fees collected from licensees is paid back to the City and may be used for purposes generally restricted to capital projects.

***Private participation** occurs on some occasions when the City will construct items of public infrastructure that benefit certain residential neighborhoods or commercial establishments. In many such instances, the financing consists of a combination of City funds and private funds contributed, on some matching basis, by the property owner or developer.

The City levies a 2% **Hospitality Tax** on the sale of all prepared food and beverages served by restaurants, caterers, and grocery stores. This tax also applies to all receipts from the rental of transient accommodation units. Proceeds from the ***hospitality fee**, are restricted for use in the acquisition or construction of assets that support the City's tourism economy, either by direct expenditure or by the leveraging of debt.

A ***local option tourism development fee** of one percent on all taxable sales may be used for out-of-market advertising. An amount equal to four percent must be used for property tax relief for primary residents of the city and an additional 16 percent may be used for either property tax relief or for capital projects related to tourism infrastructure.

A ***Municipal, County, and State Accommodations Tax** of 14% is levied on all receipts from the rental of transient accommodation units in the city. Proceeds of this levy are restricted for use to the acquisition or construction of assets that support the city's tourism economy.

***Impact fees** are financial payments made to a local government by a developer to fund a proportionate share of certain-off-site capital improvements. Impact fees do not always cover the actual capital costs of new construction but help in reducing the amount of the burden that is often shifted to the existing residents. These fees pay for infrastructure with bonds that are repaid through a property tax. Impact fees are typically a fee per unit paid at the time of development or purchase.

***Water and sewer impact fees** are used to acquire, construct and install the infrastructure necessary to ensure the delivery of safe drinking water to its customers, and to provide for the collection and transmission of sewage to be cleaned and returned to the waterways downstream.

The ***Urban County US Housing and Urban Development (HUD) Entitlement Grant** program is designed to assist low and moderate income residents by improving infrastructure and public services. The City partners with Charleston County in their status as an entitlement county.
The South Carolina Local Government Development Agreement Act, SC Code § 631-10 et seq. authorizes local governments to enter into formal voluntary ***development agreements** with developers for the completion of relatively large scale or multiphase development projects.

***Grants** represent discretionary, lump-sum funding for specific one-time projects. In most cases grantors require the City to spend additional dollars meeting local cash match requirements.

The City participates in the ***Charleston Area Transportation Study** which has two representatives on the Policy Committee. The Study Team is a stakeholder group comprised of local municipal and county planning officials that provide feedback on development of long-range regional metropolitan transportation plans (MTP). Regional projects are ranked and prioritized in accordance with predetermined GSATS scoring criteria, and Federal Highway Administration funding received by the State is allocated to local projects based upon priority and readiness of the jurisdiction.

Moreover, the city is actively positioning itself to harness increased grant funding as required to effectively address the objectives and strategies outlined in this plan. Such funding sources are listed below:

U.S. Department of Commerce, Economic Development Administration (EDA)- In April of 2018, a notice of funding opportunity was issued by EDA for Disaster Supplemental Funds related to the many disasters that occurred in recent years. This funding is for **$587M** in grants to assist communities in TX, LA, FL, GA, **SC**, PR, & VI. These funds are available until they are all spent. Regionally, the Atlanta office, which serves SC, was allocated **$147,362,000** of the $587M.

Federal Emergency Management Agency (FEMA), Pre-Disaster Mitigation Program (FEMA PDM)- On August 21, 2018, FEMA originally released the Notice of Funding Opportunity for the 2018 Pre-Disaster Mitigation Program (PDM). In 2021, FEMA updated this program to include three pre-disaster funding opportunities, Building Resilient Infrastructure and Communities (BRIC) program, Hazard Mitigation Grant Program (HMGP), and Flood Mitigation Assistance (FMA) grant program, to help states and communities prepare for major disasters that are costing lives and livelihoods and devastating local communities and businesses. These programs will allow communities to apply for nearly $5B to increase their preparedness in advance of climate-related extreme weather events and other disasters, and improve their ability to recover after these events.

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~~County publicly notices the availability of funds under this program. These are funds appropriated by Congress and then allocated to the States and administered by Charleston County.~~

~~**South Carolina Rural Infrastructure Authority (RIA)**- The South Carolina Rural Infrastructure Authority operates both grant and loan programs which may be used for water, wastewater and drainage. Grants are for basic infrastructure or Economic Development Infrastructure and information~~

~~The City of Isle of Palms has identified areas as listed through this Plan as priorities for the community: hazard mitigation, resiliency, emergency management, infrastructure, beach management and maintenance, and stormwater drainage. The long-term investment requirements associated with each of these priority areas supports the development of a Capital Improvement Plan (CIP). Because many of the projects included in this element are roadway and drainage improvements, the Charleston County RoadWise program is a solid target for funding. Other infrastructure projects will need to be funded in a traditional manner because the Isle of Palms does not qualify as low-income, making grant money unlikely. A detailed itemization and associated funding are listed below:~~

- ~~Install new and repair existing stormwater infrastructure~~

  ~~Because the island is relatively low in elevation and prone to drainage problems, the city will identify the most problematic drainage areas to find solutions to move stormwater to the appropriate outfalls. In the Public Facilities element of this plan, several drainage projects are identified.~~

  ~~Funding for this objective is targeted from SC Office of Resiliency, Capitol Projects Fund, on hand bond proceeds, and ARP Funding.~~

- ~~Install sewer lines to property not currently served~~

  ~~Installation of public sewers in areas served by septic systems and having marginal soils should be considered a priority for additional projects. Specifically, existing septic tank systems currently in operation between 42nd and 53rd Avenues, areas adjacent to the Isle of Palms Recreation Center, and low-lying areas in the vicinity of the Forest Trail subdivision affected by flooding and seasonal high water.~~

  ~~Funding for this objective will be applied for through the S.C. Rural Infrastructure Authority (RIA).~~

- ~~Beach renourishment & on-going preservation~~

  ~~The natural cycle of beach erosion and low-lying terrain that is inherent on barrier islands requires on-going maintenance to address preservation concerns.~~

  ~~Funding for the next large-scale off shore beach renourishment project will be available through The Beach Preservation Fund with additional funding provided through private entities.~~

- ~~Underground electrical lines~~

  ~~Dominion Energy provides a large portion of the City's electrical distribution service via lines running above ground. Relocating all the power lines from above ground to underground not only improve aesthetics, it would enhance reliability, reduce outages, decrease maintenance costs, enhance safety, and improve storm resilience.~~

  ~~Funding for this currently active project will come in part from Dominion Energy and the balance matched with Municipal Accommodation Tax Funds.~~

- ~~Improving services and increasing safety for our residence by balancing the needs of residents with the seasonal & daily visitors, providing a safe and efficient system for cyclists, pedestrians, golf carts~~

~~and low speed vehicles to circulate the island will reduce roadway congestion, parking problems, increase resident safety, and better facilitate municipal services are also a priority.~~

On May 23, 2007, the General Assembly officially approved the Priority Investment Act. This legal framework mandated Planning Commissions to seamlessly integrate assessments related to priority investments into the broader scope of comprehensive planning. The Act explicitly required that Comprehensive Plans incorporate a novel Priority Investment Element. This specific component was designed with the aim of assessing the anticipated availability of financial resources from federal, state, and local sources, earmarked for public infrastructure and facilities, over the coming decade.

The Priority Investment Element fulfills a unique role by connecting the capital improvement requirements identified in other planning components with anticipated revenues over the upcoming decade. Furthermore, the Act mandated the identification of projects deserving funding allocation during this period to adequately meet vital demands related to public infrastructure and facilities. These encompass critical facets like water, sewer, and road systems.

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South Carolina Rural Infrastructure Authority (RIA)- The South Carolina Rural Infrastructure Authority operates both grant and loan programs which may be used for water, wastewater and drainage. Grants are for basic infrastructure or Economic Development Infrastructure and information.

Intergovernmental Coordination

In compiling and prioritizing the Capital Improvement Plan, the City has worked in coordination with:

- Charleston County
- The Town of Mount Pleasant
- Sullivan's Island
- Municipal Association of South Carolina
- Charleston Area Regional Transit Authority
- Charleston County Schools
- College of Charleston
- Charleston County Water and Sewer Authority
- Charleston County Solid Waste Authority
- The State of South Carolina

Capital Improvements Plan

The Comprehensive Plan and its elements serve as a guide for establishing a Capital Improvements Plan (CIP) for the City's public infrastructure and facilities and the annual budgeting process. The latest Capital Improvements Plan includes the following major projects:

Drainage

- Phase 3 Drainage – Outfalls at 30th, 36th and 41st Avenue
- Comprehensive Drainage Masterplan
- Waterway Boulevard Multi-use Path Elevation Project

Funded by the State of SC Office Of Resilience, Capital Project Funds, Municipal accommodations taxes, proceeds of GO Bond issued in FY21 as well as a grant award.

IOP Marina

- Public Dock Rehabilitation & Greenspace
- IOP Marina "T" Dock Repairs
- Marina Dredging

City's ARP funding, State and Municipal Accommodations Tax, Marina & Tourism Funds.

Beach Maintenance & Access Improvements

- IOP County Park Emergency Vehicle Access
- Beach Access Paths Improvements
- Beach Restoration

Funding for this objective is provided through the Beach Preservation Fund and Tourism and Capital Project Funds.

Buildings & Facilities

- Fire Department Exhaust Systems for Fire Stations 1 & 2
- City Hall Renovation
- Outdoor Fitness Court at Recreation Center
- Dog Park Improvements
- Undergrounding Power Lines
- SCDOT Palm Boulevard Bike, Pedestrian and Parking Enhancements

Funding through the Tourism Fund, Capital Projects Fund, State and Municipal Accommodations Tax, and Dominion Energy.

Priority Investment Goal: Engage in long-term thinking and planning about capital improvements and facility needs, their funding sources, intergovernmental coordination, and planning of CIP projects based on the best available sustainable practices.

	Objective	Action	Timeframe
1	Create a repository of current city plans, including the Comprehensive Plan, to be used as a reference when establishing the annual Capital Improvements Plan.	1A. Gather plans from various city departments and coordinating agencies.	*On-going*
		1b. Cross reference adopted plans for commonalities and economies of scale.	*As new plans are adopted*
		1c. Prioritize capital improvement projects across all plans.	*Annually*
2	Forecast Federal, State, and local funds available for public infrastructure and facilities into the 10 year planning horizon.	2a. Remain abreast of financial resources available through Federal, State, local, and private resources.	*Monthly*
		2b. Forecast CIP funding needs and correlated funding availability.	*Annually*
3	Communicate and coordinate with adjacent municipalities, Charleston County, state agencies, utilities, civic groups, charitable organizations and other relevant agencies to maintain and further the goal of becoming a sustainable community.	3a. Create and maintain a list of all relevant agencies.	*On-going*
		3b. Establish and maintain regular means of communication in order to coordinate local efforts and regional plans.	*Quarterly*
		3c. Provide each agency with written notification and an opportunity to comment on recommended public infrastructure and facility projects.	*As plans are submitted for review*

~~Priority Investment Goal: Engage in long-term thinking and planning about capital improvements and facility needs, their funding sources, intergovernmental coordination, and planning of CIP projects based on the best available sustainable practices.~~

	~~Objective~~	~~Action~~	~~Timeframe~~
~~1~~	~~Create a repository of current city plans, including the Comprehensive Plan, to be used as a reference when establishing the annual Capital Improvements Plan.~~	~~1A. Gather plans from various city departments and coordinating agencies.~~	
		~~1b. Cross reference adopted plans for commonalities and economies of scale.~~	~~*As new plans are adopted*~~
		~~1c. Prioritize capital improvement projects across all plans.~~	~~*Annually*~~
~~2~~	~~Forecast Federal, State, and local funds available for public infrastructure and facilities into the 10 year planning horizon.~~	~~2a. Remain abreast of financial resources available through Federal, State, local, and private resources.~~	~~*Monthly*~~
		~~2b. Forecast CIP funding needs and correlated funding availability.~~	~~*Annually*~~
~~3~~	~~Communicate and coordinate with adjacent municipalities, Charleston County, state agencies, utilities, civic groups, charitable organizations~~	~~3a. Create and maintain a list of all relevant agencies.~~	
		~~3b. Establish and maintain regular means of communication in order to coordinate local efforts and regional plans.~~	~~*Quarterly*~~

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	~~and other relevant agencies to maintain and further the goal of becoming a sustainable community.~~	~~3c. Provide each agency with written notification and an opportunity to comment on recommended public infrastructure and facility projects.~~	~~*As plans are submitted for review*~~

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