





**Planning Commission Meeting  
4:00pm, Wednesday, January 10, 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 (via phone), David Cohen, Tim Ahmuty, Rich Steinert

Absent: Ron Denton, Sandy Stone

Staff present: Director Kerr, Zoning Administrator Simms

**2. Approval of minutes**

Mr. Cohen made a motion to approve the minutes of the December 13, 2023 regular meeting. Ms. Nagelski seconded the motion. The motion passed unanimously.

**3. Election of Chair and Vice Chair**

Elections will be held at the next meeting.

**4. Old Business**

**Stormwater Recommendations**

Director Kerr invited Commission members to ask questions of Michael Horton and Austin Arent of Davis & Floyd regarding the stormwater recommendations.

Mr. Cohen asked if the storm in December would be considered an unusual storm. Mr. Horton said it was a large storm that coincided with an astronomical high tide and surge. He said it was unusual in that it exceeded the design conditions of the Master Drainage Plan and it pointed out some vulnerabilities in the current system.

Director Kerr added that City staff has been rethinking some of their plans since that storm. Planned protections were at 6', but they wonder if the plans need to consider 6-1/2". He added that the high waters for the storm were harbor waters, and no amount of infrastructure could have stopped that. The City has a meeting set with the designers of the Waterway Boulevard project to

discuss whether or not the roadway needs to be raised further. He also shared that the storm helped Public Works identify problem areas that allowed the City to reconsider its project priorities.

Director Kerr asked where the 7.4' recommendation came from. Mr. Horton said that level is based on future tide conditions that take sea level rise over the next 50 years into consideration. He said it is a design condition "that we would propose that you allow residents in this case to build portions of their developed properties up to that elevation and not hold them to an improved condition that is based on an existing road grade."

Director Kerr asked Mr. Horton about the Planning Commission's recommendation that post-construction runoff not exceed preconstruction hydrology. He agreed with the recommendation but said there may be some pushback from developers. He also suggested changing the wording to preconstruction runoff. He also agreed with the wording that a post-construction sign off on stormwater may be required.

Lengthy discussion ensued about design parameters for a 10-year storm/24-hour event versus 25-year/1-hour storm exceptions. Mr. Horton said he would work on calculations for the 25-year storm exception and bring it back to the Commission.

Director Kerr said the City needs to keep track of what might "roughly translate to an additional \$2,000 of work to the average homeowner submitting for a permit. It's advised that we might consider a standardized form that would give guidance to the future designers or an arrangement with an engineer or engineering firm in the initial stages of rolling out the administration of this to work through permitting questions and development of those first plans.

## **5. New Business**

### **Discussion of stormwater recommendations from drainage masterplan**

## **5. Miscellaneous**

The next meeting of the Planning Commission will be Wednesday, January 10, 2024 at 4:30pm.

## **6. Adjournment**

Mr. Stone made a motion to adjourn, and Ms. Nagelski seconded the motion. The meeting was adjourned at 6:27pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk

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## Sec. 5-4-12. Additional regulations.

The following additional regulations shall apply to all zoning districts:

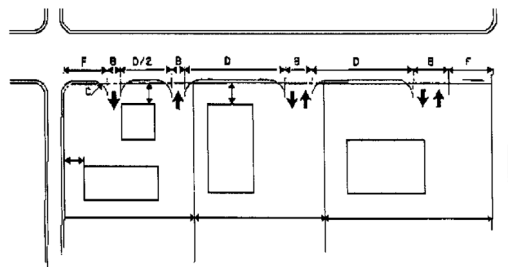
- (a) No land or building shall hereafter be used or occupied and no building or part thereof shall be constructed, erected, altered, or moved unless done in compliance with all applicable provisions of this chapter. Any use of land or buildings which is not allowed as a permitted use, conditional use, 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)