

SPECIAL JOINT MEETING
of
CITY COUNCIL and the PLANNING COMMISSION

6:30 p.m., Tuesday, October 19, 2010

A Special Joint Meeting of the City Council and the Planning Commission was held at 6:30 p.m., Tuesday, October 19, 2010 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Buckhannon, Loftus, Piening and Stone, members of the Planning Commission Ballow, Cohen, Denton, Oltorik, Scott and Watson, Mayor Cronin, City Administrator Tucker, Building Director Kerr, Assistant to the Administrator Dziuban and City Clerk Copeland.

1. Mayor Cronin called the meeting to order and acknowledged that the press and public had been duly notified of the meeting in accordance with the Freedom of Information Act.

2. Discussion of Parking Plan with the Planning Commission

Mayor Cronin explained that this was a continuing discussion with the Planning Commission about their recommendations for a Parking Management Program, presented in a draft dated October 6, 2010.

Before asking Director Kerr to review the plan with City Council and the citizens present, Mayor Cronin read excerpts from an article that appeared in the *Charleston Evening Post* entitled "Peace on the Beaches" as follows:

". . . residents of beach communities ought to be able to find ways to preserve peace and quiet for themselves without building undesirable barricades to separate less fortunate members of the public from sand and surf they, too, crave – and most of which belongs as much to them as to anybody else.

We have said before that islanders have a moral right to see that neighbors have a fair chance to use the beaches. A lot of controversy might be prevented if beach dwellers could see matters in that light and act accordingly. If they can be good neighbors without having to be pushed into it by outraged opinion - . . .

Adequate public parking areas are one solution. People are willing to pay reasonable fees to use them. The revenue can be plowed back into paying enforcement of anti-litter laws . . ."

Mayor Cronin distributed copies to Commission and Councilmembers and noted that this article was written about parking on the Isle of Palms in May 1970, forty (40) years ago; the issue to be discussed at this meeting is not a new one for the island.

Director Kerr stated that his plan was to recap the program contained in the draft document provided for the meeting, explain what feedback the Planning Commission would like to get from the meeting and the manner in which to proceed, assuming that City Council supports the program being recommended by the Commission.

As a result of the July meeting with City Council, the Planning Commission changed its approach to the parking issue from a test area of a few blocks to a comprehensive, island-wide plan working through the details as the process evolved.

Director Kerr began his review by stating that the Planning Commission intentionally had not included steadfast details because it wanted an endorsement of the concept before proceeding. The Director repeated that this work product had come as a result of the Commission's work on updating the Comprehensive Plan where methods for dealing with traffic and parking and with the future growth of neighboring municipalities were a recurring theme; the focus of the Planning Commission's work has been on public safety. Director Kerr painted a scene of a family excitedly arriving on the island as they anticipate a day on the beach; they park, generally, close to the road as they unload children and beach gear and proceed to cross the road causing traffic to slow and impeding access of public safety vehicles.

A compounding issue is that the neighboring island, Sullivan's Island, is considering a process whereby visitors would be required to pay-to-park. The Planning Commission believes that, should Sullivan's Island proceed with a plan and the Isle of Palms do nothing, the balance of day-trippers would come to the Isle of Palms to save money.

The Planning Commission would prefer to center discussions at this meeting on the requirement for day-trippers to pay-to-park. In the original plan, this option was seen as a future consideration, but, in the present draft, the subject has been expanded and holds a more prominent place in the plan.

The Planning Commission anticipates a future need for funding to organize and improve to the roads, keep the public safe, collect litter left by visitors, etc.; therefore, a pay-to-park program would provide funding for those issues.

According to Director Kerr, the Planning Commission believes that, if the City were to adopt a pay-to-park program, it would need comprehensive regulations to keep traffic from migrating to other parts of the island. The details of how to get started, how such a program would be implemented, how one would pay-to-park, where one would pay-to-park, etc. are questions that the Planning Commission is not prepared to address without the support of City Council.

Without a pay-to-park program, the Planning Commission believes that the City should increase the distance between vehicles and the edge of the roadway from four to eight feet (4 to 8 ft.) on both sides of Palm Boulevard between 21st and 41st Avenues. Because the distance of four feet (4 ft.) was set by state legislation, the City may incur obstacles in its attempt to accomplish this goal.

Other initiatives that the Planning Commission supports are the installation of NO PARKING signs at intersections; efforts to accomplish this have been started by the Mayor and City Administrator, and the Commission encourages its continuation throughout the island. A new objective is to clear parking obstructions from the rights-of-way, which the Commission recognizes as a sensitive subject to residents. Bearing that in mind, the Planning Commission suggests that the City's initial step should be to notify the property owners of the situation and explain that the obstructions should be removed to allow for public parking.

The Parking Management Plan, as revised, continues to recommend a scaled-back test area between 21st and 26th Avenues where parking would be allowed only on the Waterway side of Palm Boulevard. The Planning Commission suggests that physical improvements be made to the test area to include parking area demarcation and signage; the Commission is of the opinion that the test area will provide feedback useful in making future determinations for other parts of the island. Assuming the test area is successful, the Commission recommends that subsequent phases include incremental physical improvements between 21st and 41st Avenue.

The final phase of the program calls for extensive roadway improvements which could be funded through the requirement to pay-to-park.

Section 3 of the plan discusses implementation as recommended by the Planning Commission and what steps follow this meeting assuming a consensus is reached. The next step would be for the Planning Commission to solicit input from the public about support for regulating parking; the Commission expects to get meaningful input toward refining a recommendation to City Council.

Director Kerr concluded that the Planning Commission would like to determine whether City Council is supportive of a pay-to-park initiative for day-trippers; assuming the support is provided, the Planning Commission would like to know the timeframe in which Council foresees paying to park becoming a reality. Based on the impetus perceived from Sullivan's Island, the Planning Commission feels the need to act quickly and needs to know where the Council stands on implementation.

Mayor Cronin shared a fact that he had gotten from Chief Buckhannon as he prepared his testimony before the sub-committee in Columbia that, in July 2010, one million thirty-eight thousand thirty-one (1,038,031) vehicles travelled onto and off of the Isle of Palms. This figure equates to half a million (500,000) vehicles looking to park on the Isle of Palms in July 2010.

Initiating the discussion of the Parking Management Program offered by the Planning Commission, Mayor Cronin chose to begin with Section 2.1.1 of the draft document entitled "Increase Parking Distance on Palm Boulevard." Mayor Cronin commented that everyone who travels Palm Boulevard in the summer months is aware of the hazards created by vehicles parked less than the state-mandated four feet (4 ft.) from the roadway and the beach-goers crossing the road with their beach gear and children in tow. The Mayor repeated his recommendation from the earlier meeting that the City could white-stripe both sides of Palm Boulevard at whatever distance the City deems to be safe for visitors and residents with instructions to park inside the white line. The Mayor questioned that eight feet (8 ft.) was available on the ocean-side of Palm due to the palm trees and signage, but agreed that anything more than four feet (4 ft.) on the ocean-side would be better than what exists today.

Mayor Cronin agreed that a white chalk line would be maintenance intensive and asked for other suggestions from the group. Mr. Denton referred to Phase 3 of the Plan that provides for walking and bike paths that could delineate the parking area.

Mr. Scott expressed his excitement for the pay-to-park concept as a means to make the long-range plans for bike and walking paths less distant because the revenue gained from pay-to-park could be used to fund the paths.

Responding to Councilmember Stone's question, Administrator Tucker gave some background on the state mandate for vehicles to be parked four feet (4 ft.) from the roadway as an effort to provide more safety for vehicles parking along the side of the road. The Administrator added that Robert Clark of SCDOT has said that the signs telling drivers to be more than four feet (4 ft.) from the road were originally installed in a line four feet (4 ft.) from the road's edge – an attempt at the demarcation of four feet (4 ft.). Administrator Tucker commented that, with the white line, some drivers would question which side of that line on which to park, and some drivers might decide to park alongside the vehicle that is eight feet (8 ft.) from the roadway.

Mayor Cronin expressed a hope that the City could install an eight foot (8 ft.) parking indicator without state legislation, but added that he would seek legal advice before acting.

Councilmember Stone voiced his opinion that, at this time, eight feet (8 ft.) seemed excessive, particularly, on the ocean-side, but he would like the distance increased from four feet (4 ft.).

Mr. Cohen stated the Planning Commission's view of the eight feet (8 ft.) distance as one where vehicles parked eight feet (8 ft.) from the road and a bike path would leave an area of three to four feet (3-4 ft.) beyond the bike path. In addition, with eight feet (8 ft.) on either side of Palm, vehicles could pull off the roadway leaving a lane of twelve feet (12 ft.) for emergency vehicles to pass.

Mayor Cronin recommended that the City task personnel with Charleston County to engineer the appropriate distance for parking on the ocean-side of Palm; the Mayor commented that the distance could vary from block to block.

Because the subject of encroachments into the right-of-way continues to come up, Administrator Tucker explained that, in order to encroach into a SCDOT right-of-way, a property owner must seek an approved encroachment permit from SCDOT. Property owners who have approved SCDOT permits and who have encroachments into the right-of-way would be allowed to keep their encroachments. Property owners who do not have approved SCDOT permits and who have encroachments into the right-of-way would need to remove their encroachments or seek a permit from SCDOT. SCDOT will allow a limited number of things to encroach into their rights-of-way.

Ms. Ballow explained that, based on her experience in the real estate business, property owners are not informed at the time of purchase that they would be required to get a permit to place shrubbery or other items in the right-of-way. She, therefore, questioned how many property owners along Palm Boulevard would have permits.

Director Kerr stated that his department has informed new property owners about the need for a permit to place anything in the right-of-way, but that may not have been true five (5) years ago. New constructions, for instance, need an encroachment permit to install a driveway.

Councilmember Bettelli commented on the fact that the focus appears to be on the area of the island between 21st and 41st Avenues on Palm Boulevard; he voiced his concern for those residents who live in the area of Breach Inlet where day-trippers are blocking access to residents' properties. He added that many encroachments into the right-of-way are in that portion of the island; therefore, if the encroachments/obstacles in the right-of-way are to be addressed, Councilmember Bettelli commented that it must be done island-wide.

Mayor Cronin remarked that he did not think there was an avenue on the island that did not have one (1) or more unauthorized encroachments into the right-of-way, some natural and some human-made. Enforcement is the real issue according to the Mayor.

As the discussion progressed to the next section of the draft document, "Install No Parking Signage at Intersections," Mayor Cronin reported that the City has been installing these signs since the suggestion was made at the initial meeting in July. The Mayor indicated that this initiative would continue, particularly on Palm Boulevard; he reminded those gathered that SCDOT determines where the signs would be placed.

The discussion moved to the next subject, "Clear Parking Obstructions." Mayor Cronin related that this has been an issue of concern for many years and that enforcement is an issue.

Director Kerr stated that both he and William Seabrook were enforcement officers for the City, but that the encroachments exist in the SCDOT right-of-way. Director Kerr and Mr. Seabrook are legally authorized to enforce the codes of the City of Isle of Palms, not the codes of the State of South Carolina, despite the fact that the City's code enforcers have the "blessings" of SCDOT. In addition, the City code does not have the tools needed for the City's enforcement officers to penalize those who are in violation.

Mayor Cronin suggested that actions be taken put "teeth" into the City's code for enforcing those property owners who have unauthorized obstructions in the rights-of-way.

Administrator Tucker recalled discussions on this subject in the past about the question of the City being challenged by a property owner who would question Director Kerr's authority to demand removal and claim that the obstruction is on his/her property so that the City must pay for a survey to prove the obstruction is in the right-of-way, not on private property. The Administrator commented that she would research City records to ensure that she had remembered accurately, but she remembered also that these possible challenges were the point where action stalled when the subject was contemplated by a previous Council.

Mrs. Oltorik suggested that the City would benefit from publicizing the fact that, in studying parking on the island, removal of encroachments into the right-of-way would be addressed.

The Mayor commented that many corrals for roll-out carts were in the rights-of-way and had been permitted to be constructed there. Mayor Cronin agreed with Mrs. Oltorik about communicating with the public and expressed hope that people would voluntarily remove these obstructions. The Mayor noted that, at a later date, the City would need a manner to proceed with the removal of unauthorized obstructions in the right-of-way.

As the discussion moved to a pay-to-park program, Mayor Cronin stated that the Planning Commission had been given a presentation by a professional parking management company; Mr. Denton concurred. Mr. Denton explained that the Planning Commission had anticipated that a pay-to-park plan would be a piece of their overall program, but did not expect that it would become such a focal point until Sullivan's Island accelerated discussion of their pay-to-park program. The company that presented to the Planning Commission manages the pay-to-park at Folly Beach and offered the City a variety of systems. The program they suggested would put kiosks at six to twelve (6-12) "hot spots" on the island; they suggested a drive-up kiosk location where a pass could be obtained for parking elsewhere on the island. The company agreed that the program should be island-wide, would exclude residents/property owners and shared parking privileges with Sullivan's Island was considered. Mr. Denton described the company as most accommodating to the needs of the island; they claim to be adept at dealing with high demand seasons. This company handles the enforcement, issuing of passes and tickets and collecting the fines; therefore, the City would not be looking at increasing its workforce to handle the pay-to-park program. The company would be paid via revenue sharing with the City.

When asked how a traffic deadlock around a drive-in kiosk would be handled, Mr. Denton commented that visitors would be encouraged to pre-pay via internet or telephone. This particular company would maintain a physical presence on the island where passes could be purchased or fines paid.

Concern was expressed over how to communicate to visitors the requirement to pay-to-park, how to accomplish it and, at the same time, to maintain a visitor's positive experience on the island. Mr. Denton commented that the answer lay in how accommodating the City wanted to be to visitors, for example, to be very accommodating, many very visible and easily accessible kiosks would be on the island. He added that the pay-to-park concept is becoming more palatable to visitors to beaches; it is the accepted norm in other parts of the country.

Mayor Cronin asked if anyone from City Council or the Planning Commission was opposed to a pay-to-park program on the island assuming that it is made convenient for visitors.

Councilmember Loftus stated that he would like to see passes available for various amounts of time, yearly, monthly, etc.; he suggested that kiosks could be placed at every other block for visitors' convenience. He voiced strong feelings that day-trippers should not be allowed to park on the avenues.

Mr. Scott commented that the company that had made the presentation not only manages the pay-to-park at Folly Beach, but also manages several parking lots in downtown Charleston. They told the Planning Commission that, should the City decide to go forward with a pay-to-park program under their management, it could be implemented in sixty (60) days.

Councilmember Buckhannon stated that he was against a pay-to-park program. He pointed out that only five (5) parking spaces are available at the Public Safety Building if that was the location from which visitors could purchase a daily parking passes. He stated that he felt the focus being diverted from public safety to a revenue-stream for the City; he commented that he saw a pay-to-park program as another tax. He questioned if action toward pay-to-park taken simply

because Sullivan's Island appears to be headed in that direction could backfire on the City like the dog collars backfired.

Mrs. Oltorik stated that concurred with Councilmember Piening that people would, generally, seek out a free place to park over paying to park. She cited an afternoon in July that she had driven past the City lot that was not full only to find that every space on Palm Boulevard was full.

Mayor Cronin computed that a kiosk, costing between ten and fifteen thousand dollars (\$10,000-15,000) each, on every other block for fifty-two (57) avenues, excluding Front Beach, would cost the City nearly three hundred thousand dollars (\$300,000) to establish an infrastructure for a pay-to-park program. Mr. Denton commented that the company they had talked to offered financing for the kiosks.

Mr. Scott expressed the view that the group was getting too involved in the details without deciding whether pay-to-park was a concept the City wanted to pursue and, if so, what was the timeframe for implementation.

Councilmember Bettelli pointed out that the group had been discussing how and where visitors would pay, but no time had been spent deciding where visitors would be allowed to park.

Councilmember Loftus stated that he would not be in favor of revenue-sharing with an outside vendor; he thought the City could handle the program. He suggested that the first step was to issue a city-wide property owner's pass that restricts parking except on Palm Boulevard, Front Beach and the City lots in an effort to stop day-tripper parking on the avenues.

Mayor Cronin stated that parking should be allowed on Ocean Boulevard; Ocean Boulevard should be thought of in the same way as was Palm. The Mayor stated that the City could not stop parking on the avenues when 42nd to 47th Avenues are beach-front avenues.

Mr. Denton commented that the Planning Commission had learned that people tend to go to specific areas of the beach, i.e. surfers have a particular area that is better for surfing than others. He noted that the Planning Commission had deliberately withheld Ocean Boulevard from the Parking Management Plan because they knew it would be contentious, just as removing obstructions from the rights-of-way is going to be contentious.

Mayor Cronin contended that all areas of the island must be treated the same in order to be fair.

The Mayor stated that the City's reputation depends on the experience that visitors have when here and he was unwilling to put that reputation on the line by putting it in the hands of strangers.

Councilmember Stone recommended that the Planning Commission should consult with Public Works Director Pitts and Mr. Schupp who contract with the City for garbage collection from the beach because they might have valuable information for the Commission.

When questioned by Mrs. Oltorik about support for a pay-to-park program, Mayor Cronin stated that Councilmember Bettelli appeared to be "on the fence," Councilmember Buckhannon was opposed, and that the Mayor himself would support it if it were done in a logical way that does not harm the image of the island. Councilmembers Loftus voiced his support for a comprehensive pay-to-park program on the island to provide relief for island residents; he added that he sees it as a way to improve the quality of life for islanders.

When Mr. Scott brought up the fact that some of the revenue could be used for bike and walking paths on Palm Boulevard, Councilmember Bettelli asked where residents of the island wanted them.

Director Kerr described the on-going process as one where the City would hold public forums offering conceptual ideas that would present the issues and possible solutions, signage and clearing the rights-of-way and get input from the public that could be used to refine a parking management plan. This refined plan would be presented to the public for more input and refinement before ultimately have a polished recommendation to present to City Council. The Director explained that the details of the plan would be handled as the program evolved.

Director Kerr stated his perception that the majority of Councilmembers who were present supported a pay-to-part program for the City; in addition, he summarized the Planning Commission's direction before this joint meeting as being one of "try to do it quickly." The Director added that the impression he had gotten from this meeting was timing was not of the essence; assuming that he was correct, he asked for more direction from Council to determine what the Planning Commission should do next. Director Kerr questioned the need for a public forum in the next few weeks if the City Council wanted to pursue a more methodical approach. The Director stated that the Planning Commission would work to set the dates and work to get the public to attend a future meeting because they believe that engaging the public early is vital.

Mayor Cronin said he wanted to have an initial public meeting before the end of the year and that he does not believe that a comprehensive plan could be implemented by the beginning of the 2011 tourist season. The Mayor did want to have the other safety matters discussed in place for the 2011 season.

The Councilmembers agreed that they were interested in seeing what impact, if any, the island would experience from a pay-to-park plan on Sullivan's Island assuming it is in place for the 2011 season. Councilmember Piening added that the actions presented as Phase 1 of the program represented a major step in public safety for residents and visitors alike.

Mr. Watson asked what City Council was trying to accomplish – Trying to generate revenue and having things stay as they are? Trying to get people not to use residential streets as parking lots? Should the City consider free parking downtown (Front Beach) with pay-to-park in the neighborhoods, like Sullivan's Island is proposing?

Mayor Cronin reminded the group that the City issues the hurricane re-entry stickers that could do double duty as identifying authorized vehicles; the City currently issues up to three (3) per household.

Mayor Cronin repeated his understanding of the consensus of Council as one that agrees with a pay-to-park program that is not rushed, but done properly. The job ahead for Council and the Planning Commission is to communicate and to listen, listen, listen according to the Mayor.

Councilmember Stone stated that he was “generally and conceptually” in favor of managing the day-tripper traffic on the island, but that he was “on the fence” about a pay-to-park program. Councilmember Stone stated that some people felt the same about bike and walking paths as they did about a public pool on the island. Councilmember Stone that many residents would never use it and, therefore, do not want to pay for it.

Director Kerr indicated that a public forum on the Parking Management Plan should be sponsored by the Planning Commission; Mayor Cronin concurred and asked that the public meeting be held at the Recreation Center at a time that was convenient for the majority of City Councilmembers.

Director Kerr expressed the opinion that the Planning Commission would be better prepared for a meeting early in December, rather than sometime in November. He stated that the Commission would not be presenting a refined work product, but providing and gathering information. Councilmember Bergwerf explained that she wanted to hear what the island’s residents have to say; the Planning Commission and City Council could learn that the residents are seriously opposed to a pay-to-park program.

Mr. Denton recounted that the Planning Commission has been working on a parking management plan for two to three (2-3) years and has begun to study the signage ordinance; as Chair of the Planning Commission, he asked that the Personnel Committee re-appoint the four (4) members of the Commission whose terms expire at the end of the year for the sake of continuity and progress.

Ms. Oltorik spoke to Councilmember Stone about statements he had “so eloquently” made when he served on the Planning Commission about the influx of ten to twenty thousand (10,000-20,000) people coming to the island that has stayed with her and influenced her actions and opinions on safely managing the parking on the island “for all to come.”

Councilmember Bettelli expressed his opinion that “two (2) separate and distinct issues” were under discussion, i.e. managing parking and paying to park.

3. Adjourn

Mayor Cronin adjourned the meeting at 8:20 p.m.

Respectfully submitted:

Marie Copeland
City Clerk