

MINUTES OF THE ISLE OF PALMS  
PLANNING COMMISSION MEETING  
July 14, 2010

The Isle of Palms Planning Commission met in the Building Department conference room, 1301 Palm Boulevard on July 14, 2010, at 4:30PM. Members attending included Bev Ballow, Pat Campbell, David Cohen, Ron Denton, Diane Oltorik, Noel Scott and Dick Watson; also the Director of Planning, Douglas Kerr was present. The press had been notified of the meeting and the agenda for the meeting was posted in City Hall and the Building Department to comply with the Freedom of Information Act.

Chairman Ron Denton called the meeting to order.

#### APPROVAL OF MINUTES

The next item on the agenda was the review of the minutes of the June 9<sup>th</sup>, 2010 meeting. Ms. Oltorik made a motion to approve the minutes and Ms. Ballow seconded the motion and the vote was unanimous in favor of the motion.

#### PUBLIC COMMENT

Mr. Denton explained that he knew there were audience members that were interested in addressing the Commission and asked for comments. Mr. Robert Simmons, owner of the ACME Cantina, addressed the Commission and explained that he felt that the City's sign ordinance was too restrictive and he felt that changes should be made to include allowing small banners, sandwich boards and other signs that allow businesses to advertise their special events.

Mr. Watson asked what provision in the City's code specifically prohibited the advertisement of special events. Mr. Simmons answered the prohibition of banners was his primary objection. He explained that he was regularly offered free banners from various vendors and he is unable to use them because of this prohibition. He explained that he would like to change banners every few days to keep his customers informed about his special events.

Mr. Denton stated that while the Commission was taking public comment, he would like to recognize other members of the audience who wanted to speak. Mr. Mick Smith addressed the Commission and explained that he was a professional photographer and he wanted to address the issue of the City's prohibition of professional photography on the beach. He explained that he had been directed by the Mayor and members of City Council to look at how other jurisdictions dealt with this issue. He stated that most communities he contacted had nothing to address the issue and their jurisdiction allowed commercial photography. He said that he did find the City of Del Mar in California, which did

have an ordinance that specifically carved out photography as an allowed use on the beach.

#### DISCUSSION OF COMMERCIAL ACTIVITY ON THE BEACH

Mr. Denton asked the Commission if they would like to rearrange the agenda to discuss commercial activity on the beach first and the Commission agreed to alter the order of the agenda.

The Commission generally discussed the concept of allowing only professional photography on the beach. Mr. Kerr explained that in past when the City has been faced with this issue, the legal advice has been that it would be difficult for the City to allow one use without opening the door to other uses, which may be seen as more objectionable than photography.

Mr. Denton explained that he felt that it was the solicitation of business on the beach that he saw as objectionable. Mr. Smith explained that he agreed that he was not suggesting that the City allow anyone to solicit business on the beach.

Ms. Ballow explained that she did not see an issue with small scale personal services being offered, such as paddling or windsurfing lessons. Mr. Kerr explained that his past experience with lessons on the beach led him to believe that it would be very hard to control operations like this growing into something that the residents find objectionable.

Mr. Watson explained that he thought that there were two possible ways the Commission could approach the issue, if they collectively wanted to suggest a change to allow photography. He explained that the first alternative would be to carve out photography only from the prohibition and the second alternative would be to allow photography as well as other personal services that do not involve any solicitation.

Mr. Watson made a motion to add the following sentence to the end of Section 7-3-20 of the Code: "However, nothing in this section shall be deemed to prohibit a commercial photographer, who is not soliciting on the beach, beach access, public lots, or the Breach Inlet bridge, from implementing a prior contract to take photographs on the beach for a fee." Noel Scott seconded the motion.

The Commission members generally discussed the motion and affirmed that the wording of the motion would not allow a photographer to solicit on the beach. After general discussion, Mr. Denton called for a vote and the vote was unanimous in favor of the motion.

## DISCUSSION OF THE SIGN ORDINANCE

Ms. Oltorik asked if in the interest of time, the Commission members would consider delaying discussion of the sign ordinance until the next meeting. The Commission agreed that they would spend considerable time on the issue next month and a motion was made, seconded and unanimously approved to delay discussion until the next month.

## MISCELLANEOUS BUSINESS- PARKING MEETING

Mr. Denton explained that at the joint meeting scheduled with City Council he planned on introducing the Planning Commission's concept and he expected to call on members of the Commission to explain various details of the Commission's research so far.

Ms. Oltorik explained that she felt that the portion of the plan that explains how the City will be interacting with SCDOT should be amended to show that the Commission would work with SCDOT, but that SCDOT may not have the ultimate say on the matter of organizing parking. She made a motion to add the following language: "Therefore, once a consensus is reached on options that the City would like to pursue, SCDOT would be contacted to provide information regarding the proposed changes." The motion was seconded and unanimously approved.

Commission members explained that the Town of Sullivan's Island had a meeting scheduled to discuss the issue of parking for 6:30pm on July 27<sup>th</sup> at the Episcopal Church.

## ADJOURNMENT

There being no more business, the meeting was adjourned at 6:30PM.  
Respectfully submitted, Ron Denton, Chairman.