

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
November 11, 2009

The Isle of Palms Planning Commission met in the Building Department conference room, 1301 Palm Boulevard on November 11, 2009, at 4:30PM. Members attending included Pat Campbell, David Cohen, Ron Denton, David Stevens and Dick Watson; also the Director of Planning, Douglas Kerr was present. Lisa Safford and Sandy Stone were absent. 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 October 14th, 2009 meeting. Mr. Denton noted that the word "be" needed to be deleted in the third paragraph on page 3. Mr. Campbell made a motion to approve the minutes as amended and Mr. Watson seconded the motion. The vote was unanimous in favor of the motion.

FINAL SUBDIVISION CONSIDERATION: 3100 PALM BOULEVARD

Mr. Kerr explained that a request for final approval of a subdivision at 3100 Palm Boulevard has been submitted for the Commission's consideration. He explained that this subdivision was granted preliminary approval by the Planning Commission at the April 2009 meeting, with the stipulation that the house be removed prior to being granted final approval and that the house has now been removed.

He added that the property was originally configured as two lots; the property line separating the two lots was abandoned and now the owner is proposing to re-establish the property line to return the property to two lots. Both properties would be served by public water and private on-site septic systems. The property is located in the SR1 zoning district and the Preservation Overlay district. The properties have one Historic Tree (20" Live Oak) and several Significant Trees, which are protected by ordinance and will have to be preserved in accordance with the Tree Ordinance. He explained that the City's staff has reviewed the plat and believes that request complies with the requirements of the ordinances and therefore recommends the plat be approved.

Mr. Stevens made a motion to approve the plat as submitted and Mr. Watson seconded the motion. The vote was unanimous in favor of the motion.

Mr. Denton explained that the agenda was lengthy and some items he felt would take longer to work through and he would like to suggest changing the order of the agenda to move items H (multiple home occupations) and G (minimum natural vegetation requirements) up on the agenda. The Commission agreed.

DISCUSSION OF ALLOWING MULTIPLE HOME OCCUPATIONS IN A HOME

Mr. Kerr explained that this was a suggestion of the Mayor and City Council. He explained that the City's code had multiple regulations governing how a home occupancy could operate including: no exterior evidence of a business, no traffic coming and going beyond what was normal, no signs and no more than 750 square feet or 25% of the floor area be used. He explained that one of these provisions was that no more than one could operate at a home and that the ordinance that had been distributed would remove this provision and allow multiple home occupations at a home. He explained that he thought that the limit of one home occupation pre-dated the era of computer and office work being a prevalent as it is today and that multiple computer-based businesses running out of one home would not have any negative impact and it could have benefits including reducing the need for trips out of the home and increasing business license revenue.

The Commission generally reviewed the ordinance and Mr. Watson explained that he felt that the term "home occupation" was confusing in the context of the City's zoning code, because there are also limits on house occupancy relating to short term rentals and he felt that the term should be changed to "home business occupation" to avoid future confusion. The Commission generally agreed. Mr. Denton made a motion to recommend that Council approve the amendment with the suggestion that the term "home occupation" be changed to "home business occupation" throughout the ordinance. Mr. Campbell seconded the motion and the vote was unanimous in favor of the motion.

ESTABLISHING MINIMUM REQUIREMENT FOR NATURAL VEGETATION

Mr. Kerr explained that this subject was brought up at the workshop held with City Council and he had distributed a memo which included the language suggested by the Planning Commission back in 2003, when the minimum lot coverage and floor-to-area ratio requirement were created. The suggested language was:

" At least fifty (50%) percent of the area of a Lot shall be naturally vegetated or landscaped with grass or other vegetation, provided that this requirement shall not limit Lot Coverage to less than 3,200 square feet."

He explained that he felt that when the City Council considered this requirement in 2003 they felt that dirt or pine straw would qualify as natural and it was no more desirable from an aesthetic or drainage perspective than a pervious material such as gravel.

Mr. Campbell explained that he felt that the City needed to be very careful when considering requirements that govern aesthetics. Mr. Denton explained that the City's code already had a limit of 40% on impervious surfacing, so this amendment would in essence allow an owner 10% more in pervious materials, which would include decks and pervious driveways. He explained that he looked at several projects that he had worked on involving smaller lots and it appeared that this limit would not have unreasonably restricted the projects. The group generally discussed the implication of the word "landscaped" being in the amendment, as the trend appeared to be yards being more natural and less landscaped in the traditional sense. Mr. Watson made a motion to defer action on the issue until Ms. Safford was available as she had comments on the amendment at the previous month's meeting. Mr. Stevens seconded the motion and the vote was unanimous in favor of the motion.

DISCUSSION OF PARKING MANAGEMENT PLAN

Mr. Denton handed out a parking study that he had compiled to each member and explained that he had done some research on existing conditions on the island and similar beach communities to see how others are dealing with the issue of parking and compiled them into a study. He explained that study identified the primary challenges as: daily visitors using free parking along Palm Boulevard instead of the commercial district, which is compounding vehicular traffic problems in the peak months and the current configuration of parking is unsafe for pedestrians and vehicles as there is very little sight distance between a parked car and traffic. He added that it would be good to encourage day trippers to park in the commercial area because of the benefit they would have on the businesses in the district.

He explained that the study included specific requirements and fee schedules established by other coastal communities and that there was a wide range of costs ranging from \$135 per year to free.

He explained that this study suggested solutions including establishing a system whereby daily visitors would be required to purchase an annual pass to allow them to park in any of the public right-of-ways. He explained that City residents would be allowed to park for free and that enforcement officers would know City resident's cars by their hurricane re-entry stickers. The group generally

discussed the idea and agreed that it would be helpful to talk with the Chief of Police to discuss his staffing needs and concerns to implement such a program.

Mr. Stevens discussed physical changes that could be made along Palm Boulevard to enhance the area for vehicular and pedestrian traffic. He explained that he felt that having a pedestrian and/or bike lane on the ocean side of Palm Boulevard offered a very unique opportunity as it would be a 20 block stretch of pathway that could be traversed without ever going through a road intersection. The group generally discussed different options of organizing traffic lanes and parking spaces including whether it was advantageous to have cars parked on the ocean side of Palm Boulevard and if so, if it was advantageous to have them parallel park or park perpendicular to the roadway. The group generally agreed that the options that got cars farther off the roadway were desirable.

Mr. Kerr asked if the group would be supportive of a position of recommending in the short term that Council amend the code to increase the distance a car has to pull off of Palm Boulevard from four feet to eight feet and implement a program such as the one suggested by Mr. Denton to generate revenue; and then look at specific road design changes in the future when some revenues had accumulated. The group generally agreed that this was a good approach; to make easy changes in the near future and leave the design changes to be determined in the future.

The group agreed that it would be helpful to discuss the issue with the Chief of Police and Mr. Kerr stated that he would see if he could come to the next meeting.

NEW ZONING SCHEME/ LIMITING FUTURE RENTALS TO AN OCCUPANCY OF 12 PEOPLE

Mr. Kerr explained that this zoning concept was discussed several months earlier, but that Mr. Cohen expressed an interest at the last meeting in re-evaluating the idea. He explained that the idea was developed in attempt to mirror the way the island had naturally developed with larger rental homes closest to the beach, a mix of rentals and residences on small lots on the 2nd and 3rd rows and primarily full time residents on larger lots on the Intracoastal Waterway side of the island.

He explained that there would be three districts: the first would be those lots adjacent to the Atlantic Ocean which has been developed into large lots (typically over an acre in size) with large houses that are appropriate for full time residents

or short term rentals. This plan proposed not changing the zoning requirements for this district.

The second proposed district would include those areas that are a short walk to the beach (less than 1,000 feet), but not ocean front. He explained that the lots in this area are typically smaller (less than one quarter of an acre) and the homes are used by a mix of full-time residences, second homes and rentals. Because of the close proximity to the beach and the small size of the lots, this area has experienced considerable development pressure as these properties are more affordable than ocean front property but still attractive to visitors as they are close to the beach. The houses recently built in this district are more likely to be close to the maximum allowed floor-to-area ratio. He explained that this plan proposed a maximum rental occupancy of 16 people and a maximum size of a new home of 5,000 square feet.

The third proposed district would be everything outside of the previous two districts on the Intracoastal Waterway side of the island. He explained that the lots in this area are typically large (larger than one third of an acre) and the homes are used almost exclusively as full-time residences and that because of the large lot size, the existing FAR and maximum house size requirements would allow very large houses that would be out of character with the existing areas. Also, the existing rental occupancy limits would allow the establishment of a high occupancy rental home that would be out of character with the existing area. He explained that the plan proposed reducing the allowable FAR to 30%, reducing the maximum building size to 4,000 square feet and setting a maximum rental occupancy at 12 people.

Mr. Watson explained that he had always thought this was a good approach and he made a motion that the Commission recommend the scheme to City Council. Mr. Campbell said that for discussion purposes, he would second the motion. Mr. Campbell expressed concern about the reduction of the maximum house size in the third district on the back side of the island. Mr. Cohen stated that he agreed that especially on the lots on the water, an owner may want a house larger than 4,000 square feet and he would support eliminating this limitation. Mr. Denton asked if it would be better to keep the proposal consistent and eliminate reduction in house size in the second row district.

Mr. Campbell expressed a concern about limiting one owner to only 12 people, while allowing his neighbor to have 16 people. The group generally discussed the scheme and agreed that it would be better to hold off on any additional discussions until the full Commission was present and Mr. Watson withdrew his motion.

MISCELLANEOUS BUSINESS

Mr. Stevens had to leave and the group agreed that it would be better to hold off on discussing roof top decks until the next meeting. Mr. Kerr explained that between now and the end of the year all Commission members need to meet their State education requirements.

ADJOURNMENT

There being no more business, the meeting was adjourned at 6:45PM.

Respectfully submitted, Ron Denton, Chairman.