

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
October 9, 2013

The Isle of Palms Planning Commission met in the City Hall Conference Room, 1207 Palm Boulevard on October 9, 2013 at 4:30 p.m. Members attending included Bev Ballow, Richard Ferencz, Patrick Harrington, Don Smith and Noel Scott. The Director of Planning Douglas Kerr was present as well. Ron Denton and Penny Lewis 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 Noel Scott called the meeting to order.

APPROVAL OF MINUTES

Mr. Scott explained that the first item on the agenda was the approval of the September 11, 2013 minutes. Ms. Ballow made a motion to approve the minutes and Mr. Ferencz seconded the motion. The vote was unanimous in favor of the motion.

RECOMMENDATION ON REVISED VEHICLE SIGN ORDINANCE

Mr. Kerr explained that at a previous meeting, the Planning Commission agreed on suggested changes to the sign ordinance as it pertains to commercial vehicles. He explained that these changes were forwarded to the City Attorney and she had concerns about the ability to defend challenges of code based on her research of cases involving signs. He explained that he had circulated two codes: one that was an attempt to put the intent of the Planning Commission's previous recommendation into an improved format, and a second example of a code that the City Attorney felt was a more defensible code, which achieves similar objectives.

After generally discussing the two formats, the Commission agreed that they preferred the simplicity of the of the new example code provided by the City Attorney. After deliberation, the Commission agreed on a recommendation that would define commercial vehicles as any vehicle, or other device capable of being towed, over 20 feet in length with signage and would prohibit those vehicles in residential districts and limit them to two hours in commercial districts, but allow existing vehicles with signage to remain until the vehicles are replaced. A copy of their recommendation is attached and labeled "Planning Commission Minutes 10-9-13, Attachment 1."

REVIEW OF THE COMPREHENSIVE PLAN- TRANSPORTATION ELEMENT

Mr. Scott explained that the next item on the agenda was the review of the Transportation Element of the Comprehensive Plan. Mr. Kerr explained that it was the review of this element four years prior that lead the Planning Commission to choose to

address the issue of beach management parking. He explained that there are several objectives and goals in the element that foreshadow the need to create a plan to handle

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the influx of beach traffic. He explained that those portions of the plan will need to be updated to show some of the efforts that have taken place since that time. He explained that the City Administrator had e-mailed him a link to a discussion of beach parking that he would forward onto the group. He added that the plan included traffic counts up to 2008 and would need to be updated to include the recent years.

Mr. Ferencz explained that he did not feel that the chart on the first page of the element was useful. He stated that the chart was showing average traffic counts over a four year period and that as a general rule, averages should not be charted. He suggested taking three years at equal intervals, maybe 2008, 2010 and 2012, and charting the traffic counts by month for each year. He explained that this would show if there is a trend of increasing or decreasing traffic for each month. The Commission agreed that this would be an improvement. Mr. Kerr explained that in Appendix C1 of the plan, all of the traffic counts are included, but he had not distributed the Appendix in the packets. He explained that he would gather the updated traffic counts from the Police Department, revise the charts, revise the text to include discussion of work done regarding beach parking and redistribute the section for consideration at the next meeting. The Commission agreed that this would be useful.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:45 p.m.

Respectfully submitted,
Noel Scott, Chairman

Planning Commission Minutes 10-9-13, Attachment 1

Sec. 118-89. Parking of trucks, commercial vehicles limited.

(a) *Residential districts.* It shall be unlawful for any person, firm, company or corporation to park or permit to be parked any commercial motor vehicle on any of the public streets, alleys or thoroughfares, or on any privately owned property lying within any residential zoning district within the town. This section shall not prohibit the temporary parking of any such commercial vehicle within any such zone when such commercial vehicle is being used in the process of expeditiously loading or unloading goods or merchandise, for service calls, for town government, town vehicles including vehicles of contractors for the town engaged in public works projects for the town, approved special events, for on-call tow truck service to the town, or in the construction or installation of improvements to and/or on the property where parked on the construction site within the residential zone or when otherwise permitted pursuant to procedures established in the town's right-of-way manual.

(b) *Commercial districts.* It shall be unlawful for any person, firm, company or corporation to park or permit to be parked any commercial motor vehicle on any of the public streets, alleys or thoroughfares of the town located in commercial zoning districts in areas not otherwise limited to parking time for a continuous period of time longer than two hours. Nothing contained in this section shall be construed to prohibit the use of the street adjoining any construction project for parking trucks or commercial vehicles used in connection with any construction or maintenance related activity, even though such parking time exceeds the time specified in this section, subject, however, to the vehicles having first obtained right-of-way permits for use of the right-of-way, which permits shall be conditioned upon all the rules and regulations of the town relating thereto.

(c) For purposes of this section, vehicles of the following types and sizes shall be considered commercial vehicles.

(1) Any vehicle, trailer or other device capable of being towed, with a total overall length in excess of 20 feet, which displays a commercial message, including, but not limited to, a business name, logo, address, telephone number or other information identifying a business.

~~Trucks and vans with a total overall length in excess of 20 feet.~~

(2) ~~Trucks,~~ Walk-in vans or van type bodies, other than those designed primarily for passengers, having a gross vehicle weight in excess of 6,000 pounds, as established by the manufacturer, including vehicles used, or designed for use in the transporting of goods or merchandise or as a temporary or permanent base, platform, or support of equipment, machinery or power plants.

(3) Truck tractors having dual rear wheels.

(4) Heavy equipment including, but not limited to, farm or industrial, construction or earth moving equipment, "off-road" vehicles constructed and designed for use as a tool and not as a hauling unit, buses, and wreckers.

~~(5) Any vehicle, regardless of size or weight, with outside lettering displaying information identifying a business or other nonpersonal use of any kind.~~

~~(6) Vehicles of any size used as a method of transportation to a construction site within a residential district which vehicle is not used solely for personal non-business activities.~~

(5) Any vehicle sign which predates January 28th, 2014, shall be allowed to remain as a legal non-conforming sign, but will not be allowed to be modified, altered, enlarged or changed to a new vehicle of sign.

(d) For purposes of this section, the town may institute the penalties provided for this in article and/or those penalties available pursuant to the provisions of the town's right-of-way manual, if the vehicles have not obtained right-of-way permits for use of the right-of-way.