



JAMES ISLAND PLANNING COMMISSION
Town Hall
1122 Mills Bluff Road, James Island, SC 29412

MEETING AGENDA
March 14, 2019
6:00PM

NOTICE OF THIS MEETING WAS POSTED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT

- I. CALL TO ORDER
- II. PRAYER AND PLEDGE
- III. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT
- IV. INTRODUCTIONS
- V. APPROVAL OF NOVEMBER 8, 2018 MINUTES
- VI. PUBLIC COMMENTS
- VII. STAFF COMMENTS
- VIII. PROPOSED AMENDMENTS TO THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR) INCLUDING:
 - a. 153.110 Use Table: Removing *Nonalcoholic Beverage Bars* from the *Restaurant, Fast Food* Category to its own category entitled: *Nonalcoholic Beverage Bars, including Coffee Shops and Smoothie Bars*, with Special Exception requirements in OR, OG, CN, CC and I zoning districts.
 - b. 153.013 Definitions: Adding a definition for Nonalcoholic Beverage Bar
 - c. 153.124 (C) Bed & Breakfasts: Amending standard of Bed & Breakfasts by lowering allowed number of guest rooms from 5 to 3.
 - d. 153.124(F) Bed & Breakfasts: Adding sentence to allow only 1 car per guest room in Bed & Breakfasts.
- IX. ELECTION OF PLANNING COMMISSION OFFICERS: CHAIR & VICE-CHAIR
- X. CHAIR'S COMMENTS
- XI. COMMISSIONERS COMMENTS
- XII. NEXT MEETING DATE: APRIL 11, 2019
- XIII. ADJOURN

The Planning Commission met in Council Chambers of the Town of James Island, 1122 Dills Bluff Road, James Island, SC on Thursday, November 8, 2018 at 6:00 p.m. Commissioners present: Bill Lyon, Zennie Quinn, and Chairman David Bevon, who presided. Also, Kristen Crane, Planning Director, Flannery Wood, Planner I, and Ashley Kellahan, Town Administrator. Absent, Vice Chair Lyndy Palmer, Commissioner Ed Steers.

Call to Order: Chairman Bevon called the meeting to order at 6:03 p.m. A quorum was present to conduct business.

Prayer and Pledge: Chairman Bevon led the Planning Commission in prayer and followed with the Pledge of Allegiance.

Compliance with the Freedom of Information Act. Chairman Bevon announced that this meeting was noticed in compliance with the South Carolina Freedom of Information Act.

Approval of August 9, 2018 Minutes: Chairman Bevon moved for approval of the August 9, 2018 meeting minutes, Commissioner Lyons seconded and passed unanimously.

Public Comments:

Al Oswald, Jr.-

Mr. Oswald thanked the Commission for taking the time to let him say a few words. He mentioned that he was here with a group of James Island residents who were very concerned about the changing of the definition of a special event. He indicated that out of respect for the commission, he would say a few words for the group, instead of parading many of them up there with the same message. He then asked those present who opposed this change to please stand. He said he had a few words to say before he discussed their concerns about the new definition of a special event. Mr. Oswald indicated that they want to be a part of the Town of James Island to avoid having the city of Charleston take away more of their rights. This was bothering quite a few members of their group tonight, having their rights taken away by the Town of James Island! He then listed the groups concerns about the new definition of a special event. He stated, first that he wanted everyone to know that they were not present as a mob! He said he realized that the Mayor, Council Members and the Planning Commission all have a job to do. However, he wanted them to know that he strongly opposed certain sections of the new definition of a Special Event. First, they strongly oppose lowering the amount of people from 100 to 50. Second, they strongly oppose Neighborhood/ block parties having to obtain a permit. Thirdly, they strongly oppose having a \$25 permit fee. Fourth, they are very concerned about how the section of private parties is worded. He has talked with several people from the Town about their concerns and it looks like they have made a good effort to make this easier to understand. However, they would like to know the Town's definition of a private party. He indicated that in this day in time most private parties or gatherings use the internet to invite their guest list. They do not want this to come back to haunt anyone having a private party. Mr. Oswald then said that they need more clarity concerning private parties. Lastly, he said that they do agree that a permit is necessary for parties or gatherings on Town property. The Town definitely needs to be in control of their own properties. If they needed to use Town property for a party or gathering they would be willing to obtain a permit and pay a \$25 fee. This is a no-brainer. Mr. Oswald then thanked the Commission for their time and expressed his love for James Island.

Staff Comments:

Mrs. Crane presented Proposed Amendments to the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR) including:

- a. 153.013 Special Events: Amendments to the Special Events Definition including reducing number of people to 50, requiring any event on Town property to obtain permit, adding "neighborhood/block parties" to definition, and excluding private parties on private residential property
- b. 153.252 (c) Special Events in Commercial and Industrial Zoning Districts and Public Facilities: Adding sentence to require permits for special events at Town facilities
- c. 153.014 Planning and Zoning Fee Schedule: Reducing Commercial Special Event fee from \$50 to \$25 (Residential fee remains at \$25), adding note to allow for potential waiving of fees for civic/institutional/non-profit applications

Mrs. Crane presented the proposed amendment to 153.013 to the Special Events Definition including reducing number of people to 50, requiring any event on Town property to obtain permit, adding "neighborhood/block parties" to definition, and excluding private parties on private residential property. She mentioned that the changes to the ordinance were what we really already regulated. She indicated that this definition had been copied from Charleston County's Special Event Definition that was written in the 80's and the Town was changing it to better fit our needs. She said that requiring a permit was a method of traffic control, would help regulate parking and cleanup. She said that adding neighborhood and block parties to the definition was not a huge change and that a permit was really already required. She noted that the town needs to notify 911 and fire personnel so they are aware of changes in traffic patterns and are able to access where streets may be blocked for such events. Mrs. Crane then explained that she was a very literal person and the way the previous stamen regarding private events was written seemed to cancel itself out so they were just providing clarity. Private events on private property are exempt regardless of size or method of advertising and were already exempt.

Mrs. Crane then presented the proposed amendment to 153.252 (c) Special Events in Commercial and Industrial Zoning Districts and Public Facilities: Adding sentence to require permits for special events at Town facilities. She commented that with the Town's new facilities this would just help with the same issues as she previously stated before and that requiring a permit would help with parking and cleanup.

Lastly Mrs. Crane addressed the proposed amendment to 153.014 Planning and Zoning Fee Schedule: Reducing Commercial Special Event fee from \$50 to \$25 (Residential fee remains at \$25), adding note to allow for potential waiving of fees for civic/institutional/non-profit applications. She stated that previously commercial or industrial events were charged \$50 to \$75 depending on their size. The change would require \$25 as a permit fee for all Special Events. The opportunity to waive a fee if it was a civic, institutional, or non-profit group was also added to the fee schedule. This sentence allows for groups to avoid going before council to request a waived fee and enables the Planning department to do so administratively. She added that the special event permit is available online and that the town would not be changing their policing of special events.

Mrs. Crane answered questions from the Planning Commission and afterward, Commissioner Lyon clarified that there was no residential fee for events on private property. He then asked if a neighborhood block party was a for-profit event if a permit would be required. Finally he clarified that as far as private parties go, they could have 100 people and there would still be no permit required. Commissioner Quinn then expressed concern about reducing the number of people for special events from 100 to 50. And asked for reasoning behind this change. Mrs. Crane responded that the number 100 was geared more towards the county's more rural population and that 100 people would be a lot for a residential area. Commissioner

Quinn then asked if Churches would be exempt from the Special Events definition when they have gatherings. Mrs. Crane responded yes, they were allowed these gatherings by right of their use.

Chairman Bevon then made a motion for discussion. The motion was seconded by Commissioner Lyon. Commissioner Lyon spoke in favor of the motion saying that the amendment seemed reasonable to him. He hoped that the explicit exclusion private parties would help clear up confusion. He mentioned that his neighborhood has a block party every year and he hoped that he could get an exclusion from the fee, but they block public streets so it made sense. Commissioner Quinn commented that he understands why you would need to lower the number to 50 for parking issues and that 100 was a big number. Commissioner Lyon agreed and then commented that he just had a star of Southern Charm move in across the street and shoot for TV. He noted that it was a small cul-de-sac and there were a good 50 people there and scattered throughout the neighborhood. In this Special Event situation 50 people is reasonable to him after what had just happened in his neighborhood. Chairman Bevon asked if there was any further discussion. There was none and the motion passed unanimously.

Chairman Bevon made a motion for the discussion of the remaining amendments. Commissioner Lyon seconded. Chairman Bevon motioned to accept requiring a permit for event at Town property. After discussion the motion passed unanimously. Chairman Bevon made a motion for the discussion of the remaining amendment to the fee schedule. Commissioner Lyon seconded. After discussion that \$25 was reasonable, the motion passed unanimously. Chairman Bevon announced that Town Council would hold a public hearing and first reading on the amendment at its November 15 meeting and the second reading at the December 20 meeting.

Chair Comments: None

Next Meeting Date: The next meeting of the Planning Commission will be held on Thursday, December 13, 2018.

Adjourn: There being no further business to come before the body, the meeting adjourned at 6:23 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk and Secretary to the Planning Commission

Table 153.110	Zoning Districts											Condition	
	NRM-25	AG-5	AGR	RSL	RSM	MHS	OR	OG	CN	CC	I		
FINANCIAL SERVICES													
Banks							C	C	C	A	A	A	§ 153.153
Financial services, including loan or lending services, savings and loan institutions, or stock and bond brokers							C	C	C	A	A	A	§ 153.153
FOOD SERVICES AND DRINKING PLACES													
Bar or lounge (alcoholic beverages), including taverns, cocktail lounges, or member exclusive bars or lounges.										S	S	S	
Catering service	S	S	S	S	S	S	C	C	A	A	A	A	§ 153.154
Restaurant, fast-food, including snack bars or nonalcoholic-beverage bars									S	S	S	C	§ 153.135
<i>Nonalcoholic beverage bars including coffee shops and smokeless bars.</i>							<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>§ 153.135</i>
Restaurant, general, including cafeterias, diners, delicatessens, or full-service restaurants								C	C	C	C	C	
Sexually oriented business												C	§ 153.138
INFORMATION INDUSTRIES													
Communication services, including radio or television broadcasting studios, news syndicates, film or sound recording studios, telecommunication service centers, or telegraph service offices										S	S	A	A
Communications towers	C	C							C	C	C	C	§ 153.125
Data processing services										A	A	A	A
Publishing industries, including newspaper, periodical, book, database, or software publishers							S	A	A	A	A	A	A

*All Changes are highlighted

*Proposed additions are indicated by ***bold, underlined, italicized*** font

*Proposed redactions are indicated by ~~strikethrough~~

153.013 DEFINITIONS.

NONALCOHOLIC BEVERAGE BAR. A use engaged in the preparation and retail sale of nonalcoholic beverages for consumption on the premises, where 50% or more of the gross receipts are for sale of nonalcoholic beverages. This use includes coffee shops and smoothie bars.

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appearance of the dwelling unit that houses a home occupation or the site upon which it is conducted that will make the dwelling appear less residential in nature or function. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, adding additional entrances to the dwelling unit or adding signs or commercial-like exterior lighting.

K. Operational Impacts

No home occupation or equipment used in conjunction with a home occupation may cause odor, vibration, noise, electrical interference or fluctuation in voltage that is perceptible beyond the lot line of the lot upon which the home occupation is conducted. No hazardous substances may be used or stored in conjunction with a home occupation.

L. Trucks

Not more than one truck, truck cab, or van used in conjunction with a home occupation may be parked at the site of the home occupation in any RSL, MHS, or MHP Zoning District. No semi-truck trailers or full trailers shall be allowed in these zoning districts.

M. Deliveries

No more than four deliveries or pick-ups of supplies or products associated with home occupations are allowed between the hours of 8:00 a.m. and 8:00 p.m.

N. Sales

No article, product, or service may be sold in connection with a home occupation, other than those produced on the premises or comprise 25 percent or less of the gross receipts.

§153.124 BED AND BREAKFASTS

Bed and Breakfasts shall be subject to the following standards.

- A. The Bed and Breakfast must be residential in nature and comply with the Home Occupation regulations of Section 153.210 of this Chapter.
- B. No exterior alterations, other than those necessary to assure the safety of the structure, shall be made to any building for the purpose of providing a Bed and Breakfast.
- C. Bed and Breakfasts shall contain no more than **five ~~three~~** guest rooms.
- D. There shall be an owner or innkeeper/manager residing on the premises.
- E. Meals may be served by the resident owner to paying guests staying at the Bed and Breakfast.
- F. Parking areas for bed and breakfast uses located in agricultural or residential zoning districts shall be screened from view of residential zoning districts and public right-of-ways by evergreen plant material that will provide opaque screening at the time of plant maturity. ***Only one car per guest room is allowed.***

*All Changes are highlighted

*Proposed additions are indicated by ***bold, underlined, italicized***

font *Proposed redactions are indicated by ~~strikethrough~~