

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. First, he stated that he wanted everyone to know 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 the 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 is already regulated. She indicated that this definition had been copies from Charleston County's Special Event Definition that was written in the 80's and the Town was changing it to fit our needs better. 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 already required. She said the Town need 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 statement regarding private events was written seemed to cancel itself out so clarity is being provided. Private events on private property are exempt regardless of size or method of advertising and was 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 help with the same issues as she previously stated 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 groups to avoid going before Council to request a waived fee and enables the Planning Department to do it 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 and 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 towards the County's rural population and that 100 people would be a lot for a residential area. Commissioner Quinn

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 of 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 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 events 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 the \$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:

Flannery Wood
Planner I

A handwritten signature in cursive script that reads "Flannery Wood". The signature is written in dark ink and is positioned below the typed name and title.