



Town of James Island, Regular Town Council Meeting  
September 15, 2016; 7:00 PM; 1238-B Camp Road, James Island, SC 29412

Notice of this meeting was published and posted in accordance with the Freedom of Information Act and the requirements of the Town of James Island.

Members of the public addressing Council during the Public Comment period must sign in. Comments should be directed to Council and not the audience. Please limit comments to three (3) minutes.

1. Opening Exercises
2. Public Hearing: Ordinance #2016-08: An Ordinance to Amend the Town of James Island Zoning and Land Development Regulations (ZLDR): Section 153.334 Tree Protection and Preservation, (A) General, (4) Measurements and Definitions, adding a provision to protect 18" DBH trees within 25' from the edge of the road in residential zones.
3. Public Comment
4. Consent Agenda
  - a. Minutes: August 18, 2016 Regular Town Council Meeting
  - b. Constitution Week Proclamation, September 17-23, 2016
5. Information Reports
  - a. Finance Report
  - b. Administrator's Report
  - c. Public Works Report
  - d. 2015-2016 Annual Report
  - e. Island Sheriffs' Patrol Report
6. Requests for Approval
  - a. Town Hall Site Clean-up Proposal – Target Contractors
  - b. Fort Johnson Vegetation Control Proposal – Natural Directions
  - c. Pinckney Park Signage Design and Quote – Signature Signs
7. Committee Reports
  - Land Use Committee
  - Environment and Beautification Committee
  - Children's Commission
  - Public Safety Committee
  - History Commission
8. Resolutions
  - a. Resolution #2016-14: to Provide Local Match for MASC Hometown Economic Development Grant

9. Ordinances up for Second Reading:

- a. Ordinance #2016-09: An Ordinance to Amend the Town of James Island Zoning and Land Development Regulations (ZLR); Section 153.207, Accessory Structures in Residential Office (OR) Zoning Districts, adding a provision for accessory structures over 120 square feet

10. Ordinances up for First Reading:

- a. Ordinance # 2016-08: An Ordinance to Amend the Town of James Island Zoning and Land Development Regulations (ZLDR): Section 153.334 Tree Protection and Preservation, (A) General, (4) Measurements and Definitions, adding a provision to protect 18" DBH trees within 25' from the edge of the road in residential zones.
- b. Ordinance #2016-10: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations Ordinance, Number 2013-07, Section 153.211 Animals, and Corresponding Applicable Ordinances in Livability Regulations, Section 90.17

11. New Business:

12. Executive Session: The Town Council may/will enter into an Executive Session in accordance with 30-4-70(a) Code of Laws of South Carolina.

13. Return to Regular Session

14. Adjournment:

The Town of James Island held its regularly scheduled meeting at 7:00 p.m. in Council Chambers, 1238-B Camp Road, James Island, SC, on Thursday, August 18, 2016. The following members of Council were present: Mayor Pro-Tem Leonard Blank, Garrett Milliken, Darren “Troy” Mullinax, Joshua P. Stokes, and Mayor Bill Woolsey, who presided. A quorum was present to conduct business. Also present: Ashley Kellahan, Town Administrator, Mark Johnson, Public Works Director, Bonum S. Wilson, Town Attorney, and Frances Simmons, Town Clerk.

Opening Exercises: Mayor Woolsey called the meeting to order. He opened in prayer and followed with the Pledge to the Flag. FOIA: This meeting was published and posted in accordance with the Freedom of Information Act and the requirements of the Town of James Island.

Public Hearing: Ordinance #2016-09: An Ordinance to Amend the Town of James Island Zoning and Land Development Regulations (ZLDR) Section 153.207, Accessory Structures in Residential Office (OR) Zoning Districts: Adding a provision for Accessory Structures over 120 square feet: Mayor Woolsey opened the Public Hearing at 7:01 p.m. No one signed in to speak.

Public Hearing: Ordinance #2016-10: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations, Livability: Sections 90.1, 90.17, ZLDR Sections 153.211 and 153.013, Adding a provision for keeping chickens on residential property: Mayor Woolsey opened the public hearing at 7:02 p.m. The following persons spoke:

Katherine Oakley, 724 Clipper Street: she had not originally thought about having chickens because she grew up with them. Her chickens have become therapy for her after the death of several family members. She has had them for three to four years and most neighbors don’t have a problem with them. Some people like hearing the roosters crow; but the number of roosters she had got out of hand when she became ill. Other than one person, she has had no complaints. Ms. Oakley said the chickens are not for commercial use; she barter their eggs for greens from the vegetable lady. She uses the chicken “poop” to compost and no one has complained about any odors.

Justin White, 830 Centerwood Drive: has six chickens. He doesn’t believe there is a difference in having two or ten; but perhaps 50 is a lot. He used to have a rooster but got rid of it because he wasn’t for him. We need to be careful about banning things. He lives on James Island because a lot of things aren’t banned and there aren’t a lot of rules. Once we start having lots of rules we become like a Mt. Pleasant.

Eric McElroy, 1142 Skiff Street: has a dozen chickens and they provide eggs for his family of five through the year. They have not purchased eggs from a grocery store in three or four years. The Town’s Ordinance is more restrictive than the City and Mt. Pleasant. Mt. Pleasant allows 50 chickens as long as it is not a nuisance. The City has square footage requirements that can be overridden with approval of the neighbors.

Chuck Bevers, 894 Darwin Street: in favor of having chickens.

Tom Sheridan, 1046 Folly Road: local veterinarian, was in attendance with two daughters and pet rooster, “Snuggles”. Mr. Sheridan shared facts about roosters; their intelligence, human/animal bond; and the important role of the rooster. He said an average family on James Island earns \$34,000 per person; and, at least 12 hens are needed to produce enough eggs for the 250 eggs per capita to supplement protein in a family’s diet. The six chicken limit does not make sense from an economic standpoint.

Julie McElroy, 1142 Skiff Street: school nurse with Charleston County School District has had backyard chickens for five years. Charleston is at the forefront for the local and backyard Farm to Table Movement. Limiting the number of chickens to six infringes upon property owner rights. Property owners should be able to do as they wish on their property so long as it does not infringe upon others’ rights to live peacefully.

Assigning a set number of chickens does not take into account the size of the owners' lot; needs of the chickens; or the family. It makes no sense to assign the same number to someone with a ¼ acre to someone with more acreage. Urban farmers raise backyard chickens for many reasons; but mainly for meat and eggs, and raising her own is healthier and cheaper. If her family of five eats one egg per day, they need 1,825 eggs a year. Many factors affect a hen's ability to lay eggs, but, if she had six prolifically laying hens that produced 200 eggs per year, that would be 1200 eggs; a shortage of 625 for her family. She asked Town Council to reconsider its decision to limit the number of chickens and take into account the property owner's lot size and family needs.

Frances Porcher, 1237 Stone Post Road: lives two doors from the lady with the chickens. She thinks it's terrible that someone has to give up something they are so fond of.

Melissa Dority, 753 Grimsley: her family has three pet chickens. She appreciates the Town's leniency on whatever it decides; apparently roosters are very important to a lot of people on the island.

Kay Kernodle, 753 Swanson: spoke as a private citizen. Thinking about chickens reminds her of Marilyn Muckenfuss, retired teacher at Stiles Point. Mrs. Muckenfuss hatched chickens and anyone who attended Stiles Point had to take a chicken home during spring break. The Town was formed to protect what people hold dear and their individual preferences; chickens are a part of that.

Brook Lyon, 669 Port Circle: spoke as a private citizen and Pres. of Lighthouse Point Neighborhood Assn., (320 homes). Mrs. Lyon has been President of the Association for 11 years and during that time, has had only one complaint from lady about a rooster in Bell Terre. Backyard chickens are good for holistic health; sustainable living; stress relief, and its feces can be used to compost. Raising chickens is a positive step towards sustainable living - the Farm to Table Movement. After talking with Councilman Blank and her husband, she understands that having too many could be a problem; but it doesn't seem fair to penalize everyone because of irresponsible people. She asked Council to consider the unanimous recommendation of the Planning Commission with no limit and a compromise could be a permit for additional chickens. We pride ourselves as a property rights community; but could have no rule and respond on a complaint basis.

Giovanni Richardson, 1788 Arnsburn Road: commented that Arnsburn Road is located on the century old Gaillard Farm. People there have chickens, goats, cows, horses, and pigs. The community would like to annex into the Town when the opportunity is allowed, but how will this ordinance affect them. She has four roosters and 12 hens and shares the eggs with the community. She asked Council to take this into consideration.

Anne Peterson, 659 Oakfield Drive: mother of two teenagers and proud chicken owner said her original flock of chickens predates the Town's 4<sup>th</sup> incorporation; having had them as chicks. The chicks' life began under heating lamps in her home and they are considered pets; just as her dogs and cats. The chickens now live in a coop in the backyard that is covered above and below for safety from predators because she does not have a rooster. She appreciates the ability to do what she wants on her property and proudly tells people as she travels the State for work that she loves James Island because she can have a boat in her front yard and chickens in her backyard. She'd like it to stay that way for whoever decides to raise chickens on the island.

Charles Towne, Sr. 866 Folly Road: did not know there were issues with chickens until a customer told him about tonight's meeting. He sells chickens; probably to many people at tonight's meeting. The spectrum of people wanting chickens ranges from age 5 to 85; and many people talk about the memories they had with them. He likes the fact that it teaches young people responsibility. The chickens he sells are 3 day old hens; roosters are not kept in stock and ordered at a customer's request. Chickens are a good food source. Some people have between 2-40 and share the eggs with the community. He cannot see why having chickens is

an issue. He asked the Town to handle complaints on a case-by-case basis and not limit the number someone can have.

Public Comments:

Alan Laughlin, 847 Darwin: announced his candidacy for the James Island PSD Commission.

Vonie Gilreath, Berkeley-Charleston-Dorchester Council of Governments (BCD COG): announced the COG's development of a Regional Master Plan for Walking and Bicycling "Let's Get Moving". Surveys left for information.

Presentation by the Charleston Chapter of the Surfrider Foundation. Council heard a presentation by Kate Ditloff, Chair, Charleston Chapter. Surfrider Foundation is a non-profit environmental organization dedicated to protection and enjoyment of oceans, waves, and beaches through conservation, activism and education. The presentation focused on ways to eliminate Single Use Plastics. The City of Folly Beach and the City of Isle of Palms have adopted ordinances and the Town was asked consider adopting an ordinance.

Recognition of Board of Zoning Appeals (BZA) Former Vice Chair, Jim Fralix: Mayor Woolsey recognized long-time BZA Vice Chairman, Jim Fralix, and presented him the Key to the Town plaque for his service.

Consent Agenda:

- a. Minutes of July 21, 2016 Regular Town Council Meeting: Motion to approve was made by Councilman Stokes, seconded by Councilman Mullinax and passed unanimously.

Information Reports:

- a. Finance Report: Senior Finance Clerk Merrell Roe reported revenues up 21.9% and SCE&G franchise fees received for \$163,859. Report provided.
- b. Administrator's Report: Town Administrator Ashley Kellahan gave an overview of the Administrator's Report. Report provided.
- c. Island Sheriffs' Patrol Report: included in Administrator's Report.
- d. Public Works Report: Public Works Director Mark Johnson gave an overview of the Public Works Report. Report provided.

Requests for Approval

- a. Proposal from Superior Blacktop Services re: asphalt repairs in Lynwood neighborhood: Mrs. Kellahan reported there are 10 areas in Lynwood subdivision (around Kentwood Circle), where Pine trees have caused damage to the asphalt. Superior Blacktop Services will remove all damaged asphalt, cut away the tree roots, and add two inches of new asphalt for \$18,180. Warranty is one-year. Mayor Woolsey asked for a motion in favor. Councilman Stokes moved, and Councilman Blank seconded.

Councilman Milliken asked if the one-year warranty is because of the tree roots; or is that a normal length of time for road repairs. Mrs. Kellahan said she would check into that. She explained there are pine trees in the right-of-way that can be taken down. She noted the roots on some of those trees may grow back and we do not want that to happen after making costly repairs. The homeowners will be asked to work with the Town to take some trees down. Mayor Woolsey added the Town would like to ask homeowners to plant other types of trees. He said warranties on other infrastructure projects have been one year. Councilman Stokes asked if discussions about the trees

had taken place with the neighborhood. Zennie Quinn, representative for Lynwood was present and confirmed the community's approval. Motion passed unanimously.

- b. Proposal from JLA, Inc. re: Traffic Control in Centerville neighborhood: Mrs. Kellahan said a traffic study was done a year-and-a-half ago by Stantec in the Centerville neighborhood to lower the speed limit on Santee and West Madison. The Town was successful in getting the SCDOT to lower the speed limit on Santee to 25 mph; but not on West Madison. We continue to receive complaints from residents on West Madison about speeding and cut through traffic from Folly Road. JLA's proposal for \$4,800, will designate where traffic calming devices should be placed in the neighborhood and submit that information to SCDOT to see if it meets their standards. This information will be shared with the neighborhood. The Engineers will ensure the devices are placed where a driver could not go through one of the cut-through streets; (i.e., Lady Cooper or Lady Ashley) to go around a speed hump. They will be strategically placed where a driver has to go over at least one speed hump. Mayor Woolsey asked for a motion in favor. Motion was made by Councilman Blank, seconded by Councilman Mullinax. No discussion. Motion passed unanimously.

Committee Reports:

Land Use Committee: Councilman Blank announced a vacancy on the Planning Commission and asked Mayor Woolsey for his nomination. Mayor Woolsey moved to appoint Zennie Quinn; Councilman Milliken seconded. Motion passed unanimously.

Environment and Beautification: Councilman Milliken announced an island wide cleanup on Saturday, September 10<sup>th</sup> from 8:30 a.m. to 11:00 a.m. Lunch provided.

Children's Commission: Councilman Stokes announced plans for the Annual Lights On After School Event planned the end of October. Children's Commission will meet Thursday, September 8<sup>th</sup> at 5:00 p.m.

Public Safety Committee: Councilman Mullinax announced the Neighborhood Council will meet Thursday, August 25<sup>th</sup> at 7:00 p.m.

History Commission: No report.

Ordinances up for First Reading:

- a. Ordinance #2016-09: An Ordinance to Amend the Town of James Island Zoning and Land Development Regulations (ZLDR), Section 153.207, Accessory Structures in Residential Office (OR) Zoning Districts: Adding a provision for accessory Structures over 120 square feet: Mrs. Kellahan reported that the Town requires accessory structures 3 ft. from the property line. This change would increase the setback to 5 ft. Mayor Woolsey asked for a motion in favor. Motion was made Councilman Blank, seconded by Councilman Stokes. No discussion. Motion passed unanimously for First Reading.
- b. Ordinance #2016-10: An Ordinance Amending the James Island Zoning and Land Development Regulations, Livability: Section 90.1, 90.17, ZLDR Sections 153.211 and 153.013, Adding a provision for keeping chickens on residential property: Mayor Woolsey asked for a motion in favor. Councilman Blank moved to pass Ordinance #2016-10; seconded by Councilman Stokes.

Councilman Blank moved to amend the motion to add (A): to allow one chicken per 2500 square feet of lot area on a single family residential lot with an overall cap, up to one acre at 12 chickens. Motion seconded by Mayor Woolsey.

Councilman Blank said the Planning Director and Town Administrator had done research and contacted a number of municipalities; as far as Rock Hill; and this is pretty standard. Councilman Milliken asked to amend Councilman Blank's amendment. He and Mayor Woolsey discussed whether his amendment is germane. Councilman Milliken explained that a remedy should be in place for people that already have lots of chickens. His amendment would be: "If greater than 12 chickens; an approved chicken housing permit must be issued and the resident could possibly be subject to inspections by code enforcement". Councilman Milliken said a permit would allow people who already have lots of chickens to keep them. Mayor Woolsey said the explanation was relevant and Councilman Mullinax offered a second.

Mayor Woolsey said discussion is now on Councilman Milliken's amendment to Councilman Blank's amendment to allow more than 12 chickens by permit. Councilman Blank stated a criterion is required to issue a permit; (*not for anyone to have all the chickens they want, and we give them a permit; this is why he capped it at 12*). Councilman Blank said he visited a farm on Wadmalaw Island and one in Beaufort; neither had more than 14 chickens and, they sold them. He commented not knowing what anyone would do with 40 chickens. Mayor Woolsey asked the size of the property and he answered about 20 acres. Councilman Blank also stated the Ordinance says chickens for personal use. He stressed understanding that people need to feed their families; however, this is not farmland, it is residential property. On a personal note he said a lady in his neighborhood had chickens and he didn't know it until she got a rooster that wake the neighbors at 5 a.m. Councilman Milliken said a permit would be as granting an exception to allow more chickens than the specified number. And, as long as there is no roosters crowing at 5 a.m. or malodors smells from the property, these are ways people can have lots of chickens.

Councilman Stokes asked if this passes, or if any ordinance passes to limit the number of chickens; could the property owner request a variance to the BZA for more. Mayor Woolsey said they would not go to the BZA for Variance or Special Exception - the Town would have to begin issuing permits for chickens, only if someone has more than the limit allowed per the ordinance; this is how he reads it. Councilman Blank spoke about zoning regulations and challenges that could occur; and again stressed criteria for issuing permits. Councilman Milliken said it would be appropriate to develop particular criteria since this amendment will go back to the Planning Commission to consider; just as the Planning Commission and the Planner could develop a schedule for reimbursement for trees taken down, that they've never seen. He said these are things we have passed in the past and he is confident that their colleagues on the Planning Commission could come up with reasonable criteria. Mayor Woolsey offered that Council vote down the amendment of the amendment; consider whether it wants to pass the first amendment; raise it again, and then vote on the original motion. Council will send both amendments to the Planning Commission if they pass to consider separately. Councilman Milliken said the fair thing is to use a permit as a remedy for people that has lots of chickens already.

Councilman Stokes said he will vote against amending Councilman Blank's amendment; but he will support sending something separately to the Planning Commission to develop a permitting process if a limit is passed for more chickens beyond that.

Amendment to the Amendment: develop a permitting system for more than 12 chickens with possible inspections. Motion failed: 3-2; Councilmembers Stokes, Blank, and Mayor Woolsey cast dissenting votes.

Amendment to allow one chicken per 2500 square feet of lot area on a single family residential lot with an overall cap up to one acre at 12 chickens. Councilman Milliken said this is a motion that

replaces no limitation on the number of chickens; what Council has from the Planning Commission has no limit on the number of chickens because (A) was stricken. Mayor Woolsey said the Planning Commission voted against the staff's recommendation of six chickens. He said Council could vote to limit to six chickens, or it could follow the Planning Commission's recommendation with no limit. The third approach that Councilman Blank has proposed is something entirely different that will go to the Planning Commission. Mayor Woolsey said Council is not obligated to approve what the Planning Commission recommends to them. Councilman Milliken said if Council votes down Councilman Blank's amendment, we are back to the original motion without a limit.

Councilman Stokes asked to clarify Councilman Blank's amendment. He said 1 acre is 43,560 sq. ft., that divided by 2500 will allow 17 chickens. He said the way the amendment was phrased is one chicken per 2500 sq. feet up to one acre, capped at 12; but that is 17. Councilman Stokes asked and Councilman Blank confirmed the amendment as: **one chicken per 2500 sq. ft. with a total cap of 12 chickens regardless of lot size.** After discussion, the motion passed 3-2. Councilmembers Milliken and Mullinax cast dissenting votes.

Councilman Milliken said he would like to add under (E) a remedy for keeping greater than 12 chickens with a permit. The amendment would read: **If greater than 12 chickens are to be housed in a residential zoning district, an approved chicken housing permit must be issued.** Councilman Mullinax seconded.

Councilman Blank said he did not want anyone to leave thinking that he wants to take their chickens away. But we should be reasonable because other people live in residential areas, other than the people at this meeting, and we have had some complaints. He doesn't mind issuing a permit to people with more than 12 chickens; but criteria are needed. He said if that can be done; he has no problem with it. Councilman Milliken said he would help develop criteria because this is what he does at the College; there are government standards for research animals that is pretty stringent. We could make sure chickens have routine sanitation inspections, and adequate confines. These are some things that could easily be applied to a checklist and used by the Planner or Code Enforcement in any situation. Mayor Woolsey called for the vote on the amendment and it passed unanimously.

Mayor Woolsey said both amendments were significant and will be remanded to the Planning Commission for consideration. Town Council will hold a Public Hearing after receiving the Planning Commission's recommendation.

New Business: None

Adjournment: There being no further business to come before the body, the meeting adjourned at 8:21 p.m.

Respectfully submitted:

Frances Simmons  
Town Clerk

PROCLAMATION  
CONSTITUTION WEEK



WHEREAS, September 17, 2016 marks the two hundred twenty ninth anniversary of the drafting of the Constitution of the United States of America by the Constitution Convention; and

WHEREAS, it is fitting and proper to give official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, Bill Woolsey, on behalf of the Town of James Island do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals of the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of James Island to be affixed this 15th day of September, 2016.

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Bill Woolsey  
Mayor

ATTEST

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Frances Simmons  
Town Clerk

# Town of James Island

% FY Complete 17%

## Monthly Budget Report

Fiscal Year 2016/2017

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET	
	July	August	September	October	November	December	January	February	March	April	May	June			
<b>GENERAL FUND REVENUE</b>															
Accommodations Tax													-	-	
Brokers & Insurance Tax			33										33	430,500	
Building Permit Fees		9,017											9,017	10,000	
Business Licenses	1,688	9,973											11,661	230,000	
Contributions/Donations-Park													500		
Franchise Fees	163,859												163,859	465,500	
Interest Income													-	-	
Alcohol Licenses -LOP													-	10,000	
Local Assessment Fees			421										421		
Local Option Sales Tax (rev)													-	353,000	
Miscellaneous	200	200											400	1,000	
Planning & Zoning Fees	526	553											1,079	12,000	
State Aid to Subdivisions		26											26	260,000	
Telecommunications													-	45,000	
Transfer In from Funds Balance													-	477,632	
		20,224	-	-	-	-	-	-	-	-	-	-	Total	186,997	2,294,632
													% of Budget		8%

<b>ADMINISTRATION</b>															
Salaries	16,827	16,875											33,702	221,300	
Fringe Benefits	5,653	5,664											11,317	73,405	
Copier	345	75											420	5,300	
Supplies	1,155	1,174											2,329	13,000	
Postage	595												595	6,700	
Information Services	2,313	2,404											4,717	40,000	
MASC Membership													-	5,500	
Insurance		11,922											11,922	22,000	
Legal Services		2,625											2,625	60,000	
Town Codification		203											203	2,500	
Advertising	60	297											357	5,000	
Audit													-	12,500	
Elections													-		
Mileage Reimbursement	29	54											83	800	
Bonding													-	1,870	
Employee Training / Screening													-	850	
Dues and Subscriptions	75												75	1,060	
Training & Travel													-	2,500	
Mobile Devices	(37)	108											71	1,350	
Children's Commission	146	56											203	1,000	
Business Development Council													-	500	
History Commission													-	2,500	
Employee Appreciation													-	500	
Bank Charges	49	79											128	1,000	
	27,211	41,534	-	-	-	-	-	-	-	-	-	-	Total	68,746	481,135
													% of Budget		14%

<b>ELECTED OFFICIALS</b>															
Salaries	3,769	3,769											7,538	50,000	
Fringe Benefits	2,196	2,196											4,391	30,000	
Mayor Expense	28												28	2,000	
Council Expense													-	4,000	
Mobile Devices	541												541	1,600	
	6,534	5,965	-	-	-	-	-	-	-	-	-	-	Total	12,499	87,600
													% of Budget		14%







# ADMINISTRATOR'S REPORT

Aug-16

## ADMIN NOTES

- a. Attended MASC Regional Advocacy mtg with Town Clerk
- b. Met with Stantec on draft concept plans for Folly Rd sidewalk and parking improvements
- c. Had kick-off mtg for Design Development phase with Liollo and engineers here at Town Hall
- d. Met with Home works and discussed partnering with them on critical needs repairs to expand our include them as partner with Repair Care program
- e. Various conversations and mtgs with engineers to move projects along including Dills Bluff sidewalk and traffic calming in Centerville
- f. At the end of August, started holding staff mtgs on possible effects of Tropical Storm #9. Have scheduled another staff training for Oct. 4th

**TOTAL Business Licenses 55**

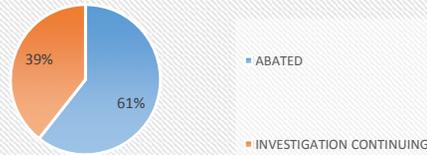
### Code Enforcement Case Thru Jan

<b>TOTAL CASES</b>	<b>227</b>
<b>ABATED</b>	<b>137</b>
<b>INVESTIGATION CONTINUING</b>	<b>89</b>
RANK VEGETATION / SOLID WASTE	51
NUISANCE PROPERTY	41
TREE CASES	22
INOPERABLE VEHICLE	21

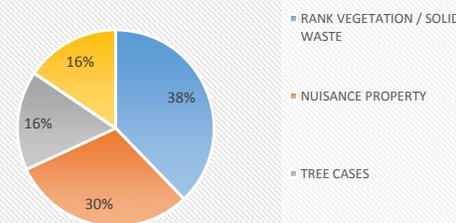
### Building Permits

**BUILDING PERMITS ISSUED 118**

Code Enforcement - Case Status



Code Enforcement - Case Type



PERMIT TYPE	Aug-16
ACCESSORY STRUCTURE	
CLEARING & GRUBBING	
DEMOLITION PERMIT	
EXEMPT PLATS	2
FIREWORK STAND	
HOME OCCUPATION	3
LSPR	
NON-EXEMPT PLAT	
PD AMENDMENT (REZONING)	
RESIDENTIAL ZONING	9
REZONING	
SPR	
SIGN PERMIT	
SITE PLAN REVIEW	
SPECIAL EVENT	
SPECIAL EXCEPTION	
TEMPORARY ZONING	
TREE REMOVAL	8
TREE TRIMMING	
VARIANCE	
ZONING PERMIT	
<b>TOTAL</b>	<b>22</b>

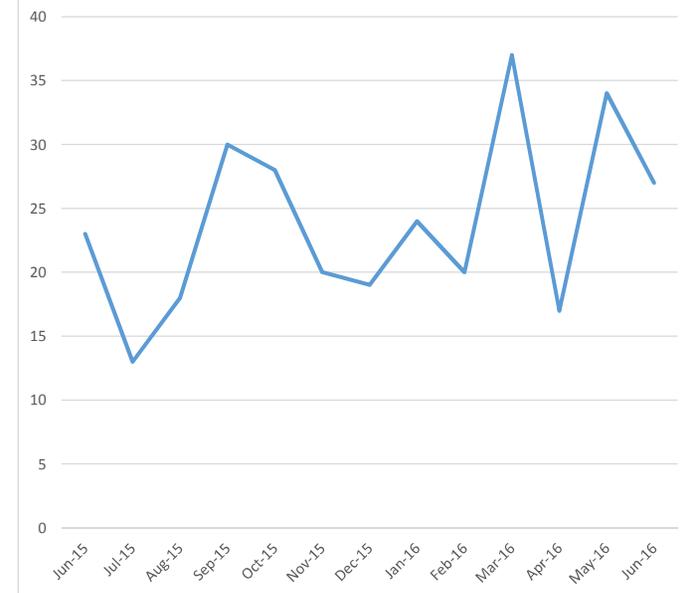
## PUBLIC WORKS NOTES

- 1) Attended the 2016 SC American Public Works Association Conference in Greenville.
- 2) Work on drainage system along Camp from Oyster Point Row to Folly is continuing with work being accomplished at night. There are some nighttime road closures with detours due to crossline work in the area of the Fire Station.
- 3) Completed the online portion of the Clemson Extension certification program for Post-Construction BMP Inspector.
- 4) Worked with Canopy Cove HOA on the process to have their road and drainage system turned over to the public. They were given a list of items to contact or provide so we can re-evaluate their infrastructure.
- 5) New engineering intern, Alexander White, started with us. Had a discussion with APWA leaders about our intern program.
- 6) Had a meeting with Charleston County Stormwater and Reedy River Water Quality Group to discuss alternatives to a TMDL (Total Maximum Daily Load of pollutants) directive from SCDHEC and EPA.
- 7) Discussed several issues with residents ranging from traffic and parking to drainage.
- 8) Continued to perform Stormwater Plan Reviews.

## Island Sheriff's Patrol

Forthcoming

ZONING PERMITS - 13 MONTH HISTORY





**TARGET CONTRACTORS**

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July 26, 2016

Attn: Ashley R. Kellahan  
Town of James Island  
1238-B Camp Road  
James Island, SC 29412

Via Email: [akellahan@jamesislandsc.us](mailto:akellahan@jamesislandsc.us)

**SUBJECT:** Cleanup at New Town Hall Site

### **SCOPE OF WORK**

Target Contractors will furnish all estimated labor, equipment, and supervision to perform site cleanup at the New Town Hall Site located near 1238 Camp Road, James Island SC.

### **CLARIFICATIONS**

- This proposal is based on One (1) mobilization working straight time 40 hours a week. Additional mobilizations will be billed at \$1,000.00 each.
- Target Contractors retains title to all salvage materials present and is entitled to sell or dispose of such material at their discretion and retain the proceeds of any such sale.
- This proposal includes rough grade of disturbed areas with on-site material.
- Town of James Island will provide evidence of ownership to property.

### **EXCLUSIONS**

- This proposal excludes the abatement of asbestos containing material and the removal of other hazardous materials if present or encountered.
- This proposal excludes testing and surveying if required.
- This proposal excludes silt fence, security fence, tree protection, barricades and the import/export of fill material.
- This proposal excludes the disconnecting, capping, removing and relocation of all underground and above ground utilities if necessary.

### **PROCEDURES**

All local, state and federal EPA and OSHA codes regarding removal and disposal shall be strictly adhered to. Prior to commencement of work, the owner and contractor are to mutually agree upon project procedures and desired phasing, set-up and scheduling.

### **PRICING**

**Site Cleanup: \$ 19,500.00**

### **INSURANCE**

Our proposal includes General Liability coverage with limits of \$1 million each occurrence and \$2 million general aggregate; Automobile Liability coverage with limits of \$1 million combined single limit; Professional and Pollution Liability coverage with limits of \$1 million each claim and occurrence; Umbrella Liability coverage



**TARGET CONTRACTORS**

with limits of \$15 million each occurrence and aggregate; and Worker's Compensation coverage with \$1 million Employer's Liability coverage.

**THIS PROPOSAL MAY BE WITHDRAWN IF PROPOSAL NOT ACCEPTED WITHIN 90 DAYS**

**LIMITATIONS**

Our price is based on the work being completed in 5 working days. If there are delays as a result of unforeseen site conditions, changes in the scope of work, or other delays not caused by Target, there will be additional charges for delays and remobilization, and the scheduled completion date will change accordingly.

This agreement contains the entire agreement and understanding between the parties and supersedes all prior conversations and understandings between them. It may be amended, changed, or modified only in writing signed by purchaser and a representative of Target Contractors.

We appreciate the opportunity of offering this proposal and trust we may be favored with your most valued business. If you have any questions or if I may be of further assistance, please contact me directly at (843) 388-3905. We thank you for your time and consideration.

Sincerely,

*David Evans*

David Evans  
President  
Target Contractors, LLC

**TERMS OF PAYMENT**

In order for Target Contractors LLC to schedule your project in a timely manner, please complete the following information and return at your earliest convenience. Our payment terms are Net 15 days from the date of the invoice.

ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_

PO#: \_\_\_\_\_



P.O. Box 1850 Mt. Pleasant SC  
[www.targetcontractorsllc.net](http://www.targetcontractorsllc.net)





September 7, 2016

Ashley Kellahan  
Town of James Island  
1238-B Camp Road  
James Island, SC 29412

Dear Ms. Kellahan,

It was nice meeting you last week. As requested, this is my proposal for the brush clearing we discussed. This work will be from the Bayview Soccer Complex to the entrance to Bayview Farms Subdivision. This property is located in the City of Charleston, but it will be a Town of James Island project.

It is my understanding that the SCDOT is on board with the work.

The Scope of this work is to underbrush the right-of-way, a distance of approximately 20' from the edge of pavement for this project, along Ft. Johnson Road. We will cut and remove the vegetation up to a diameter of 3". This scope does not include cleaning up the debris from the previous tree operation. The bunches of vines growing low will be cut and chipped. Vines growing vertically will be cut low to the ground and at head height and left to rot. We would like to access as much as we can from the Bayview Soccer fields and Bayview Farms Subdivision from behind the buffer, but understand that working from the road way will be needed as well. We will be prepared to have flaggers and signage in place as needed. I also recommend a stump spray treatment to help slow down the regrowth of vegetation over 1" in diameter.

This work will have an aesthetic impact immediately, but will not last without a maintenance plan. If a maintenance plan is not in place, the vegetation will fill be back in. It will probably be a larger problem to deal with later. If the maintenance plan is implemented to prevent new growth, the vines will die out and fall from the trees in time.

I estimate this work will take approximately 3 days to complete. The cost for us to complete this work is \$11,500.00. Please give me a call with any questions at (843) 296-1581.

Sincerely,

Donnie Skinner  
Certified Arborist SO-5166A  
S.C. Registered Forester #1707



2 signs - 30" x 48" @ \$3,300.00  
wall 8" x 36" x 5.5' @ \$3,800.00  
price includes concrete foundation  
wall finished on both sides and includes  
radius detail

RESOLUTION COMMITTING THE TOWN OF JAMES ISLAND TO PROVIDING A LOCAL MATCH FOR A MUNICIPAL ASSOCIATION OF SOUTH CAROLINA HOMETOWN ECONOMIC GRANT

BE IT RESOLVED BY THE COUNCIL of The Town of James Island assembled on this 15<sup>th</sup> day of September, 2016, that the James Island Town Council hereby commits to provide a local cash match of at least \$3,750, which equals the minimum 15 percent local match required by the Municipal Association of South Carolina, to support the Town of James Island's application for a \$25,000 Hometown Economic Development Grant. These grant and local matching funds will be used for Folly Road Parking and Sidewalk Improvements.

This resolution is made in regard to the submission of an application for Hometown Economic Development Grant funds to the Municipal Association of South Carolina on or before September 30, 2016.

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Bill Woolsey  
Mayor

ATTEST

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Frances Simmons  
Town Clerk

**ORDINANCE 2016-09**

**AN ORDINANCE AMENDING THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 2013-07, SECTION 153.207 ACCESSORY STRUCTURES IN RESIDENTIAL/OR DISTRICTS;**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended, authorizes the Town of James Island to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Town of James Island Planning Commission has reviewed the proposed text amendment of the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has forwarded their recommendations to the Town of James Island Council regarding the proposed text amendment of the ZLDR as set forth in Section 153.207 Accessory Structures in Residential/OR Districts, as set forth herein; and

WHEREAS, upon receipt of the recommendations of the Planning Commission, Town Council held at least 1 public hearing and after close of the public hearing, Town Council approves the proposed text amendment based on the Approval Criteria of Section 153.042 (F) of the ZLDR;

WHEREAS, the Town Council has determined the proposed text amendment meets the following criteria:

- (1). The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition;
- (2). The proposed amendments are consistent with the adopted Town of James Island

Comprehensive Plan and goals as stated in Section 153.005; and

- (3). The proposed amendments are to further the public welfare in any other regard specified by Town Council.

NOW, THEREFORE, be ordained it, by the Town of James Island Council in meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. TEXT AMENDMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Town of James Island Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendment of Sections 153.207, are attached hereto as Exhibit "A" and made a part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following second reading by the Town Council.

ADOPTED and APPROVED in meeting duly assembled this 15<sup>th</sup> day of September, 2016.

TOWN OF JAMES ISLAND COUNCIL

By: \_\_\_\_\_  
Bill Woolsey  
Mayor

ATTEST:

By: \_\_\_\_\_  
Frances Simmons  
Town Clerk

Public Hearing: August 18, 2016  
First Reading: August 18, 2016  
Second Reading: September 15, 2016

Exhibit "A"

**Planning Commission Recommendation on 7/14/2016: Approved (Vote: 5-0):**

**§ 153.207 ACCESSORY STRUCTURES IN RESIDENTIAL/OR DISTRICTS.**

Unless otherwise expressly stated and in addition to any other applicable provisions of this chapter, accessory structures in residential and Residential Office (OR) Zoning Districts shall be subject to the following standards.

(A) An accessory structure erected as an integral part of the principal structure shall be made structurally a part thereof, shall have a common wall therewith, and shall comply in all respects with the requirements of these and other regulations applicable to principal structures.

(B) A detached accessory structure shall be located:

(1) On the rear of the lot, behind the principal structure. This limitation shall not apply to carports or garages;

(2) At least six feet from any existing dwelling or dwelling under construction;

(3) At least three feet *(if size of structure is 120 sf or under) or at least five feet (if size of structure is over 120 sf)* from any interior lot line in a residential district; if in an OR District that abuts a residential district, the accessory structure in the OR District shall be located at least ten feet from the abutting interior lot line; when an OR District abuts another O, C, or I district, setbacks for accessory structures are not required; and

(4) If on a corner lot, the accessory structure shall not project in front of the front building line required or existing on the adjacent lot.

(C) A detached accessory structure may be constructed on an adjacent vacant lot if both lots are in the same ownership.

(D) Accessory structures shall be included in building coverage.

(E) Accessory buildings shall not exceed 25 feet in height as measured from ground level.

(Ord. 2012-06, § 6.5.8, passed 10-18-2012; Ord. 2013-02, passed 4-18-2013)

**ORDINANCE 2016-08**

**AN ORDINANCE AMENDING THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 2013-07, SECTION 153.334 TREE PROTECTION AND PRESERVATION, (A) GENERAL, (4) MEASUREMENTS AND DEFINITIONS**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended, authorizes the Town of James Island to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Town of James Island Planning Commission has reviewed the proposed text amendment of the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has forwarded their recommendations to the Town of James Island Council regarding the proposed text amendment of the ZLDR as set forth in Section 153.334 Tree Protection and Preservation, as set forth herein; and

WHEREAS, upon receipt of the recommendations of the Planning Commission, Town Council held at least 1 public hearing and after close of the public hearing, Town Council approves the proposed text amendment based on the Approval Criteria of Section 153.042 (F) of the ZLDR;

WHEREAS, the Town Council has determined the proposed text amendment meets the following criteria:

- (1). The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition;

- (2). The proposed amendments are consistent with the adopted Town of James Island Comprehensive Plan and goals as stated in Section 153.005; and
- (3). The proposed amendments are to further the public welfare in any other regard specified by Town Council.

NOW, THEREFORE, be ordained it, by the Town of James Island Council in meeting duly assembled, as follows:

**SECTION I. FINDINGS INCORPORATED**

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

**SECTION II. TEXT AMENDMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE**

The Town of James Island Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendment of Sections 153.334, are attached hereto as Exhibit "A" and made a part of this Ordinance by reference.

**SECTION III. SEVERABILITY**

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

**SECTION IV. EFFECTIVE DATE**

This Ordinance shall become effective immediately following second reading by the Town Council.

ADOPTED and APPROVED in meeting duly assembled this \_\_\_\_\_ day of October, 2016.

TOWN OF JAMES ISLAND COUNCIL

By: \_\_\_\_\_  
Bill Woolsey  
Mayor

ATTEST:

By: \_\_\_\_\_  
Frances Simmons  
Town Clerk

Public Hearing:       September 15, 2016  
First Reading:       September 15, 2016  
Second Reading:

## Exhibit "A"

### 153.334 TREE PROTECTION AND PRESERVATION.

#### (A) *General*

##### (4) *Measurements and definitions.*

GRAND TREE. Any species of tree measuring 24 inches or greater diameter breast height (DBH) except pine and sweet gum. However, within 25 ft. from the edge of the road in residential zones, a grand tree is 18" or greater. GRAND TREES are prohibited from removal unless a grand tree removal permit is issued.

**ORDINANCE 2016-10**

**AN ORDINANCE AMENDING THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 2013-07, SECTION 153.211 ANIMALS, AND CORRESPONDING APPLICABLE ORDINANCES IN LIVABILITY REGULATIONS SECTION 90.17;**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended, authorizes the Town of James Island to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Town of James Island Planning Commission has reviewed the proposed text amendment of the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has forwarded their recommendations to the Town of James Island Council regarding the proposed text amendment of the ZLDR as set forth in Section 153.211 Animals, as set forth herein; and

WHEREAS, upon receipt of the recommendations of the Planning Commission, Town Council held at least 1 public hearing and after close of the public hearing, Town Council approves the proposed text amendment based on the Approval Criteria of Section 153.042 (F) of the ZLDR;

WHEREAS, the Town Council has determined the proposed text amendment meets the following criteria:

- (1). The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition;
- (2). The proposed amendments are consistent with the adopted Town of James Island

Comprehensive Plan and goals as stated in Section 153.005; and

- (3). The proposed amendments are to further the public welfare in any other regard specified by Town Council.

NOW, THEREFORE, be ordained it, by the Town of James Island Council in meeting duly assembled, as follows:

**SECTION I. FINDINGS INCORPORATED**

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

**SECTION II. TEXT AMENDMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE**

The Town of James Island Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendment of Sections 153.211, are attached hereto as Exhibit "A" and made a part of this Ordinance by reference.

**SECTION III. SEVERABILITY**

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

**SECTION IV. EFFECTIVE DATE**

This Ordinance shall become effective immediately following second reading by the Town Council.

ADOPTED and APPROVED in meeting duly assembled this 20<sup>th</sup> day of October, 2016.

TOWN OF JAMES ISLAND COUNCIL

By: \_\_\_\_\_  
Bill Woolsey  
Mayor

ATTEST:

By: \_\_\_\_\_  
Frances Simmons  
Town Clerk

Public Hearing: August 18, 2016  
First Reading: September 15, 2016  
Second Reading: October 20, 2016

Exhibit "A"

**AMENDMENT #1: Planning Commission Recommendation on 9/8/2016: Approved (Vote: 4-0):**

**Town of James Island Zoning and Land Development Regulations:**

**§ 153.211 ANIMALS:**

- (A) The keeping of household pets shall be allowed as an accessory use in all zoning districts in which residential dwelling units are permitted.
- (B) The keeping of exotic or wild animals shall not be allowed as an accessory use and shall only be allowed if approved as a Special Exception in accordance with the procedures contained in §§153.040 through 153.055 of this Code.
- (C) The keeping of chickens shall be allowed as an accessory use in residential zoning districts in accordance with the conditions contained in §90.17 of the Town of James Island Livability Regulations.

**Town of James Island Livability Regulations:**

**§ 90.17 RAISING/KEEPING CHICKENS ON RESIDENTIAL PROPERTY:**

Chickens: Chickens may be permitted in residential zoning districts for personal use only, subject to the following conditions:

- (A) One chicken per 2500 square feet is allowed per parcel, with a total maximum of twelve chickens allowed per parcel regardless of lot size. If greater than 12 chickens are to be housed in a residential zoning district, an approved chicken housing permit must be issued.
- (B) Roosters are prohibited.
- (C) Chickens shall be confined to the back yard of the property and shall not be allowed to roam off the owner's property. Should a property owner keep chickens without a pen/coop/enclosure, the area where the chickens are kept must be fenced. Fences shall comply with all applicable provisions of the zoning ordinance and may require a permit.
- (D) Chickens shall be maintained in a healthy and sanitary manner to avoid potential health hazards or offensive odors.
- (E) Pens/coops/enclosures shall meet all applicable provisions of the Zoning and Land Development Regulations Ordinance relating to accessory structures and shall be at least 5' from any property line. The structure may require a permit.
- (F) Nothing in this amendment to the Livability Ordinance shall be deemed to override private deed restrictions or homeowner/neighborhood association requirements that prohibit or regulate chickens or farm animals on the affected property.

**AMENDMENT #2:**

**Town of James Island Zoning and Land Development Regulations:**

**§ 153.211 ANIMALS:**

- (D) The keeping of household pets shall be allowed as an accessory use in all zoning districts in which residential dwelling units are permitted.
- (E) The keeping of exotic or wild animals shall not be allowed as an accessory use and shall only be allowed if approved as a Special Exception in accordance with the procedures contained in §§153.040 through 153.055 of this Code.
- (F) The keeping of chickens shall be allowed as an accessory use in residential zoning districts in accordance with the conditions contained in §90.17 of the Town of James Island Livability Regulations.

**Town of James Island Livability Regulations:**

**§ 90.17 RAISING/KEEPING CHICKENS ON RESIDENTIAL PROPERTY:**

Chickens: Chickens may be permitted in residential zoning districts for personal use only, subject to the following conditions:

- (G) One chicken per 2500 square feet is allowed per parcel, with a total maximum of twelve chickens allowed per parcel regardless of lot size.
- (H) Roosters are prohibited.
- (I) Chickens shall be confined to the back yard of the property and shall not be allowed to roam off the owner's property. Should a property owner keep chickens without a pen/coop/enclosure, the area where the chickens are kept must be fenced. Fences shall comply with all applicable provisions of the zoning ordinance and may require a permit.
- (J) Chickens shall be maintained in a healthy and sanitary manner to avoid potential health hazards or offensive odors.
- (K) Pens/coops/enclosures shall meet all applicable provisions of the Zoning and Land Development Regulations Ordinance relating to accessory structures and shall be at least 5' from any property line. The structure may require a permit.
- (L) Nothing in this amendment to the Livability Ordinance shall be deemed to override private deed restrictions or homeowner/neighborhood association requirements that prohibit or regulate chickens or farm animals on the affected property.