



Folly Beach Planning Commission

October 2, 2017

5:30PM JOING WORK SESSION W/CITY COUNCIL

7:00 PM REGULAR MEETING

Council Chambers, 21 Center Street

Commission Members: John Pence; Kirk Grant; LaJuan Kennedy; Deana Coggin; Randy Carter; Greg Anderson; John Merritt, Michael Norton, Adam Barker

Regular Meeting 7:00pm

1: Call to Order; Roll Call

Present: Pence, Merritt, Carter, Anderson, Coggin, Barker, Norton, Kennedy
Absent: Anderson

2: Freedom of Information Statement

3: Approval of Previous Minutes

Mr. Merritt made a motion to approve the minutes of the previous meeting, and Mr. Carter seconded the motion. The minutes of the August meeting was approved without objection.

4. Personal Appearances

5. Citizen Comments

6. Unfinished Business

7. New Business

A. Alternative Parking Plan, Inn at 105 E. Huron, Ryan Buck

Mr. Pope reported this item will be postponed until the November meeting.

B. Public Hearing: Ordinance 27-17 to reestablish parking requirements for residential and tourist accommodation uses in the Downtown Commercial District

No one signed up to speak to this ordinance during the public hearing. Mr. Pope reviewed the need for this ordinance: "This would reinstate the parking requirements for any residential or tourist accommodation use in the downtown

commercial district. Mr. Carter made a motion to approve and Ms. Coggin seconded the motion. Ms. Kennedy said, “This simply will establish that accommodations, whether it is the inns or whatever it is, will have to have off-street parking.” Mr. Pope clarified this ordinance is applied to new businesses or current businesses that change to that use. A vote was taken with all in favor.

C. Public Hearing: Ordinance 36-17 to revise the rules for short-term rentals

Shannon Cavanaugh, 1019 East Ashley, spoke in favor of stricter regulations for short-term rentals.

Jewel Morris, 1121 East Arctic, spoke to the importance of short-term rentals to the tax base of Folly Beach.

Ross Appel, representing Christina and Michael Gifford of 318 West Indian, spoke with concern about neighborhood overlays creating restrictions. He referred to an email sent to Mr. Pope with proposed language that protects property rights and provides for clarity for the city and property owners.

Johnny Werner, 613 West Ashley, owns an event house and said that he speaks to his neighbors prior to an event, adding he has not had a lot of problems over the years with complaints. He added that he depends on the income from the rental.

Billy Hudson, 613 East Arctic, has been renting his home for 28 years to families. He suggested limiting the number of adults and not children within rentals.

Lynn Hudson, 613 East Arctic, also asked Commissioners to consider accommodations for children. She felt that encouraging families on Folly Beach has made it better. She said she would like to see more family-oriented policies.

Teresa Mincey, 353 Shadow Race Lane, suggested owners know who their renters are and let the police do their jobs.

Mr. Carter made a motion to approve and Ms. Coggin seconded the motion. Mr. Grant made a motion to amend 110.17(A)(5) to read “unlawful business activity.” Mr. Carter seconded the motion. Mr. Pope said this portion of the ordinance allows the City to revoke the business license for businesses that are not operating lawfully. A vote was taken with all in favor.

Discussion ensued about “person in control” as referred to in the ordinance. Mr. Grant made a motion to amend “the person in control to be a defined person to either be the owner or a person listed as the operator or a person in control of the business in any business license application.” Mr. Pence seconded the motion. Mr. Pope said this limits the City to noticing anyone but the person/s listed on the rental registration. Mr. Grant said, “I would add to my motion that the person in control of short-term rentals would be the agent.” Mr. Pence agreed to the change

to the original motion. Mr. Grant restated the motion, “The license official shall give written notice of a violation of Section 1-8 above to the licensee or a person in control as listed on the business application.” A vote was taken with all in favor.

Ms. Coggin made a motion to amend by adding to Section 117.01 entry number 6, “to protect the residential character of Residential Districts.” Mr. Grant seconded the motion. A vote was taken with all in favor.

Mr. Grant made a motion to amend Section 117.01(B) by eliminating “the language ‘owners can be held liable for violations of any City ordinance regardless of the owner’s actual knowledge of the violation’ and in every place it appears throughout the ordinance. Mr. Merritt seconded the motion. Mr. Grant said the owner cannot be held responsible if they hold no knowledge of the violation. Mr. Pope said the reasoning for that section is it is unfair to hold current tenants responsible for previous tenants’ actions. He noted that the City will need to develop internal policies of notifying owners of repetitive violations. Mr. Grant said the tenants should get the ticket and the fine and that supervision of the renters is another issue. A vote was taken with all in favor.

Mr. Grant then noted that this ordinance should be revisited during the November meeting as there are still many more issues that need clarification. Discussion ensued as to the number of adults and children permitted in a short-term rental. Mr. Carter made a motion to amend “persons” to “adults.” Mr. Pence seconded the motion. Mr. Grant made a motion to table the discussion of this motion until the November meeting, and Mr. Pence seconded the motion. A vote was taken with all in favor.

Mr. Carter made a motion to strike 117.01(B)(3)(i). Mr. Grant seconded the motion. A vote was taken with all in favor. Mr. Carter made a motion to strike 117.01(B)(3)(j). Mr. Grant seconded the motion. A vote was taken with all in favor. Mr. Grant made a motion to strike 117.01(B)(3)(n), but Mr. Pope pointed out that was previously struck when owner responsibility was removed. Mr. Grant made a motion to table discussion of 117.03(G) to the November meeting.

Discussion of the number of properties needed to create a neighborhood overlay district will be tabled to the November meeting.

Ms. Coggin made a motion to amend sections 164.02-02(C)(1) and 164.02-04(J)(2) to include language about bed & breakfasts as discussed in the work session. Mr. Carter seconded the motion. A vote was taken with all in favor. Section (C) will be discussed further at the November meeting.

Mr. Pope summarized the changes made during the meeting and those being tabled until the November meeting.

Mr. Grant made a motion to accept all technical changes as proposed during the Work Session, and Mr. Pence seconded the motion. A vote was taken with all in favor.

8. Staff Comments

A. Update from the architectural/preservation incentives group

Mr. Pope reviewed the purpose and intent of this group. He then went over some suggested standards and proposed incentives. He said multifamily homes may need to be considered in these standards and incentives as well.

He also noted the sign ordinance will be up for a Public Hearing at the November meeting.

9. Commission Comments

10. Adjournment at 8:23pm.