



Town of James Island, Regular Town Council Meeting
June 15, 2023; 7:00 PM; 1122 Dills Bluff Road, James Island, SC 29412

IN-PERSON MEETING

(This Meeting will also be live-streamed on the Town's You-Tube Channel, <https://www.youtube.com/channel/UCm9sFR-ivmaAT3wvHdAYZqw/>)

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.

The Town encourages the public to provide comments prior to its Town Council meeting. Residents wishing to address the Council will be limited to three (3) minutes and must sign in to speak. Comments may also be sent ahead of the meeting by emailing to: info@jamesislandsc.us, mail to P.O. Box 12240, Charleston, SC 29422, or placed inside the drop box outside of Town Hall at 1122 Dills Bluff Rd.

- 1) Opening Exercises
- 2) Public Comment:
- 3) Consent Agenda
 - a) Minutes: May 18, 2023, Regular Town Council Meeting
- 4) Information Reports:
 - a) Finance Report
 - b) Town Administrator's Report
 - i) Code Enforcement Data Concerning Short-Term Rentals
 - c) Public Works Report
 - d) Island Sheriff's Patrol Report
- 5) Requests for Approval by Staff:
 - a) Pinckney Park Usage for Learning Co-Op, Mondays and Tuesdays, 8:00-1:00 during 2023-2024 school year
 - b) Request to Accept Greenhill/Honey Hill Drainage Project Bid from Integrity Contracting Solutions, LLC (\$236,200.00)
 - c) Request to Accept Quail Run and Woodhaven Drainage Projects Bid from IPW Construction Group, LLC (\$1,780,950)
 - d) Request to Approve Ross Printing Quote for History Booklet Reprint (\$4,302.04)
 - e) Request to Approve Ross Printing Quote for GoGov Mailer and Postage to all Town Properties (\$2,777.57)
 - f) Request to approve Quotes to Remove and Reinstall Existing License Plate Reader (LPR) Camera on Folly Road to New Location

g) Request to Consider Partnership with JIPSD for a Social Media Manager Contract

6) Committee Reports:

- a) Land Use Committee
- b) Environment and Beautification Committee
- c) Children's Committee
- d) Public Safety Committee
- e) History Committee
- f) Rethink Folly Road
- g) Drainage Committee
- h) Business Development Committee
- i) Trees Advisory Committee
- j) James Island Intergovernmental Council

7) Proclamations and Resolutions:

8) Ordinances up for First Reading:

9) Ordinances up for Second/Final Reading:

- a) Ordinance #2023-04 Proposed Amendment Changes to Accessory Structure, Driveway Setbacks and Changes to Merge Bed & Breakfasts Term with Short-Term Rentals Term; to further define/clarify regulations

10) Old Business:

11) New Business:

12) Executive Session: The Town Council may enter into an Executive Session in accordance with 30-4-70(a) Code of Laws of South Carolina RE: discussion of ongoing litigation. Upon returning to open session the Council may act on matters discussed in the Executive Session.

13) Return to Regular Session:

14) Announcements/Closing Comments:

15) Adjournment:

The Town of James Island held its regularly scheduled meeting on Thursday, May 18, 2023 at 7:01 p.m. in person at the Town Hall, 1122 Dills Bluff Rd., James Island, SC. This meeting was also live streamed on the Town's You-Tube Channel.

The following members of Council were present: Boles, Mignano, Milliken, Mullinax, and Mayor Woolsey, who presided. Also, Niki Grimball, Town Administrator, Merrell Roe, Finance Director, Mark Johnson, Public Works Director, Brandon Reeser (for Bonum Wilson, Town Attorney); Flannery Wood, Planner II, Lt. Shawn James, Island Sheriff's Patrol, Sam Snider, MPI Intern, and Frances Simmons, Town Clerk. A quorum was present to conduct business. This meeting was held in accordance with the SC Freedom of Information Act and the requirements of the Town of James Island. Notification provided to the public.

Opening Exercises: Mayor Woolsey called the meeting to order at 7:01 p.m. Councilman Mullinax opened in prayer and followed with the Pledge of Allegiance.

Public Hearing on Ordinance #2023-04: Proposed Amendment Changes to Accessory Structure, Driveway Setbacks, and Changes to Merge Bed & Breakfasts Terms with Short-Term Rentals Terms to further define/clarify regulations:

Chris Benson: Mr. Benson spoke to Council that he appeared before them last year in June about his investment properties on Nabors Drive. He mentioned having a timeline that he wanted Council to be aware of. Mr. Benson said his properties are short-term rentals; he does not live in them and does not serve food in them. They are investment properties. He was told by the Town that he is not allowed to do this because of the Air BnB law. Mr. Benson said he took the Town to Court and was fined. After he spoke to the Council in June he was issued a ticket for \$1,000. He told the Town that he wasn't going to pay it; they weren't going to see a dime of his money. He stated that he was extremely hot on this issue. Mr. Benson said he has worked very hard for these properties and he expects to get a return on them and this was not appreciated. Because the last time he checked, we lived in America and should be allowed to max the return on his investments. Renting real estate is a legal activity and for the Town to get involved in the terms and conditions of how he rents his property is beyond his ability to understand. He took the Town to court and won; the judge agreed with him. He said there have been complaints about noise from short-term rentals but he has not seen any police reports about that. He would like to see market studies, feasibility studies, or any study that says short-term rentals are the main source of noise violations but has not seen them. He and his lawyer requested the information but there have been no response. Mr. Benson said there are many benefits to short-term rentals and he would be happy to give the Town 7.5% of the revenue from his properties to the tune of almost \$10,000/yr. He is one investor talking. There are many short-term rental owners that aren't renting their properties because of the heading on the Town's website "*no short-term rentals allowed*" so they don't investigate or push it. He pushed it and it cost him a ton of money in legal fees, a lot more than the \$1,000 fine which he could've paid. He said after he won, the Town had the nerve to go to his tenants and asked for copies of their leases. What is this! *The Gestapo*. You don't go to his tenants, you come to him. He made this clear and has an email exchange with the Town to reflect this. The Town says the complaint is under investigation but he has not seen any complaints

(The Town Administrator called time). Mr. Benson summed up by saying there are lots of benefits for short-term rentals and the Town could use his revenue to build sidewalks, better drainage, or bike paths. There are lots of opportunities for short-term rentals and the revenue it generates. He would appreciate the Town considering that.

Dylan Silivant, Clearview: Mr. Silivant told the Council that he was born and raised on James Island and just purchased his first home here. He purchased a house in Clearview that has an accessory dwelling unit (ADU). He said the only requirement not met for the ADU is the acreage, shy of having 2/3 acres to get short-term rental permits. He came to the meeting tonight not knowing what to expect since this is his first meeting but he would like to know "*what hoops to jump through*" to get a short-term rental permit. They would take responsibility for any noise ordinances and get approvals from the neighborhood. He has dealt with the Town somewhat, but one of his biggest problem is the ADU built in the 80's, and the people who built it with the bed and bathroom are no longer around to admit to doing this when the Town permitted the structure as legal. There are no records past

2010 that the Town or County has and he is trying to find old records that don't exist in the system. He is looking for directions on what to do next.

Caitlyn Ong, 1027 Grand Concourse: Ms. Ong resides at 1027 Grand Concourse and has been struggling with the Town trying to get their short-term rental up and going to provide a guest house for friends and family. She said it has been difficult and they oppose the language in the Ordinance. But none-the-less, it is important to look at it as a whole and what the Town is attempting to do is to take property rights away from property owners. Property rights are like bundled sticks, very valuable sticks of gold, the Town is taking away some of them without providing any compensation. Those "bundled sticks" includes things like the ability to own your property, the ability to transfer it, to sell it, to rent it. Taking away or infringing upon their ability to use their property in a certain way is a problem; especially without any kind of compensation from the Town. These are things the Town needs to consider before they improperly put property limits on owners. Property owners have the right to use their property and to rent it, whether its short-term or long term. These are things that needs to be taken into consideration before taking them away. Public Hearing Closed 7:12 p.m.

Public Comments:

Casimer Kowalski, 1108 Pauline Avenue: Mr. Kowalski asked Town Council to support passing the four (4) speed humps on Pauline Avenue. He has canvassed the street and obtained signatures from 35 residents in support. This information has been given to Town Administrator, Grimbball, for the record.

Eric Murray, 1111 Pauline Avenue: spoke that his wife, Judy has been handling the traffic calming issues they have been going through. His wife could not attend tonight's meeting and is watching on-line so he is here representing her. Mr. Murray thanked Mark Johnson, Niki Grimbball, Mayor Woolsey, the Council and the engineers for their work in looking into traffic calming for Pauline Avenue. He said the letters and notifications sent out were great and he wanted to speak on two points. He said a couple weeks ago when he was at the Town Council meeting, Mark Johnson said that the highest and lowest values are thrown out because they will skew the results and may not accurately reflect the overall data. He asked that a note be placed in the DOT report that the highest values were upwards to 80-90 miles per hour. He does not want that to be left out and wants the DOT to see that. Also during the time the speed meter cable was laid out, the police presence had been stepped up over the course of 60-90 days which may coincide with the lower average speeds and he would like that information to be included in the report to DOT.

Susan Mohley, 1206 Pauline Avenue: asked the Town to support and work with the SCDOT for speed humps on Pauline Avenue. She has lived there for 25 years and have had cats killed by speeders. Pauline Avenue is a part of the SCDOT's jurisdiction and they know how passionate she is about this subject. She hopes the Town would get with Mr. Powers to get this done.

Susan Devoux, lived on Pauline Avenue for 35 years and speeding is a daily problem. She's had two animals killed and could not let her children play in the front yard; they are grown now. She knows this is a problem for other families with kids, but this is a daily problem.

Hazel Whaley, 1167 Pauline Avenue: spoke about the need for speed humps on Pauline Avenue. She said on her way to the meeting tonight, the speeding was like a racetrack and something needs to be done before someone gets hurt. She thinks when people are coming from the beach they take Pauline Avenue and people are not safe on their own street, not even going to their mailboxes because the cars comes so close. She would like to see something done before something bad happens.

Consent Agenda:

Minutes of April 20,2023, Regular Town Council Meeting: Councilman Milliken moved to approve the April 20, 2023 meeting minutes, Councilman Mullinax seconded. Passed unanimously.

Information Reports: Finance Director, Merrell Roe, provided an overview of the monthly Budget Report: Local Option Sales Tax (LOST) and Hospitality for March, Franchise Fees, WOW, Public Works Projects, ongoing

wireless regulations, Credit Emergency Management, insurance reimbursement for storm damages from Hurricane Ian on Sprague Street, Park Maintenance, fill/rock at Pinckney Park, Vehicle Maintenance, slightly higher due to replacement of batteries; installed a device allowing the Town to fuel at the Charleston County fuel stations.

Town Administrator's Report: Town Administrator, Niki Grimball, introduced Sam Snider, Master of Public Administration (MPA) Intern. Sam will be with us through the end of June and is already off to a great start by attending meetings, learning about the Town's systems and learning about our local government. History Council hosted the Annual First Shot event in April at Fort Johnson. The staff is preparing to launch GoGov for the permitting and code enforcement portions of the app. Sam will help to develop "*How to*" Manuals. The upcoming GoGov project will be the development of a map-based driving tour of historic sites around the island. Wayfinding Signage at Camp and Folly and potential new welcome sign at the Ellis Creek Bridge. Ms. Grimball will prepare a bid package for exterior work at the James Island Arts & Cultural Center. Other upcoming projects includes: renovations at Dock Street Park; plans for utilizing the second floor at Town Hall and finalizing dock permitting and getting quotes for dock repairs at Brantley Park.

Councilman Milliken stated that we have received the tree assessment list from Natural Directions and asked if we could expedite the process at Camp Road (\$15,000) to begin the work. Mayor Woolsey said we are looking at what the cost would be and Ms. Grimball will reach out for an estimate and timeframe. Councilman Milliken asked if the project could begin in short order and both Mayor Woolsey and Ms. Grimball thought it could. Councilman Milliken expressed concerns due to the upcoming storm season.

Councilwoman Mignano asked about the roof repair at the James Island Arts & Cultural Center, if the entire roof will be repaired. Ms. Grimball explained that the work needed is only on one level; not including the portion where the solar panels are, but on the other section. She has also looked into the potential of using a sealer guaranteed for a 20-year life expectancy instead of a full roof replacement.

Public Works Report: Public Works Director, Mark Johnson provided an overview of the monthly projects and activities: There were 16 requests for new services in March and 15 of them are closed. Staff attended the annual meeting of the Ashley Cooper Stormwater Education Consortium, monthly Stormwater Manager's meeting; hosted the quarterly Pet Helpers Rabies Clinic, met with property owners for the Greenhill-Honey Hill drainage project, participated in a graduate study of how Public Works Directors prioritize drainage projects with regard to sea level rise, and reported that seven (7) additional septic tank inspections were completed in April. Of the 95 Town residents in the James Island Creek TMDL watershed having septic tanks, 57 have been inspected. None of the systems inspected in April failed. There have been 11 failed systems in total to date.

Island Sheriff's Patrol Report: Lt. James reported that Mark Johnson asked him to recap his findings about complaints on Dills Bluff Rd. and he reported that ISP since the first of January had stopped 196 vehicles. The traffic counter and stealth stat was placed on Greenhill Rd and speed was calculated at 25 mph; on Seaside Lane over the last ninety (90) days 123 vehicles were stopped. The counter was also placed on Seaside Lane and almost 13,000 vehicles came through and 30% were 25 mph or less. Lt. James provided the crime report, informing the Council of traffic, drug violations and burglaries that occurred during the month.

Pauline Avenue Traffic Calming Request to install four (4) speed humps: Ms. Grimball reported that the Town has been conducting a traffic study on Pauline Avenue by placing traffic counters at different times and collecting the data. She said with the information that was gathered, Town Council approved taking it to the next step by having JLA look at various options. Ms. Grimball stated that there was an overwhelming support for speed humps by the community and no one spoke in opposition to having this done.

Laura Cabiness, P.E.; Johnson, Laschober and Associates, (JLA) presented the proposal for the Pauline Avenue speed hump project and answered questions from Council.



Traffic Calming
Presentation Pauline

Motion for approval was made by Councilman Boles, seconded by Councilman Mullinax. Councilman Boles thanked the residents of Pauline Avenue for being cordial and waiting on the passage of this request. Passed unanimously.

Seaside Lane Traffic Calming, JLA Traffic Calming Study: Ms. Grimball reported that JLA submitted the proposal for the planning, design and permitting for traffic calming measures along Seaside Lane. There are no intersections between the beginning (Ft. Johnson) and the terminus of Seaside Lane (Dills Bluff Rd.); JLA will identify the locations for speed humps and will research of the crash data for the intersections. They will also prepare exhibits and participate in up to two public meetings for input from the community. Once the scope of the traffic calming facilities is determined, they will prepare plans, coordinate the permitting and bidding services for the work. The cost for this request is \$9,500. Motion for approval was made by Councilman Milliken, seconded by Councilman Boles and passed unanimously.

Repair Care Program: Roof Replacement at 1135 Hillman Street (\$13,397.10): Ms. Grimball presented a request for the approval of \$13,397.10 for a full replacement roof at 1135 Hillman Street to be done by Sea Island Habitat. Motion for approval by Councilwoman Mignano, seconded by Councilman Mullinax and passed unanimously.

Grand Concourse Pipe Repair: Ms. Grimball reported there was a sinkhole resulting from a pipe failure in that area. The staff obtained quotes from contractors that Charleston County uses and the lowest bid received was for \$20,910 for the repairs. Motion for approval was made by Councilman Milliken, seconded by Councilman Mullinax. Councilman Milliken asked if this is the same situation with a sinkhole that has been ongoing. Mr. Johnson replied, no, this is another crossline pipe that is further up Grand Concourse, though it is a part of the same system, installed in the late '60's, and probably due now for failures. Councilman Milliken said his reason for asking is about the quality of the rest of the system. If this is a short-term action, we may want to address this systematically at some point. Mr. Johnson said systematically moving forward we should camera all of the crosslines on Regatta and Grand Concourse because of traffic on these streets over the years, especially with having the City neighborhood in the back. Councilman Milliken asked if there is a plan to "camera" and Mr. Johnson answered no, we need to determine what that would cost. Councilman Boles asked if the Town has camera equipment and Mr. Johnson said that we would need to hire someone, i.e., Eadie's or Sanders Brothers to get that done. Motion passed unanimously.

Committee Reports:

Land Use Committee: No Report.

Environment and Beautification Committee: Councilman Milliken reported that April 29 James Island Pride joined the Grace Triangle Assn. and hosted a litter pickup on the Seaside Lane, Honey Hill and the Greenhill areas. There was a great turnout from the community. 19 bags of litter were collected along with 9 tires. Special thanks to Joel and Chelsea Lucas with Edison's Restaurant for providing a delicious lunch for the volunteers. An Adopt-A-Highway Litter Pickup is scheduled for Saturday, June 3. Meet at the Town Hall at 9:00 a.m. to pick up litter for two hours and afterwards enjoy pizza and fellowship. Helping Hands will meet at Pinckney Park on Saturday, May 20 at 9:00 a.m. Helping Hands is an organization of volunteers led by Stan Kozikowski that helps residents who do not have the ability to care for their yards. For more information about volunteering contact Robin Sanders at the Town Hall (843) 795-4141.

Children's Committee: No Report.

Public Safety Committee: Councilman Mullinax announced the next Neighborhood Council meeting on Thursday, May 27 at 7:00 p.m.

History Committee: Mayor Woolsey reported on a successful First Short event at Fort Johnson in April and the History Council continues to work on the history trails of James Island.

ReThink Folly Road: Ms. Grimbball announced the next meeting at the end of June. She also reported that the mobility event hosted by the Town with Charleston Moves was held at Martin's BBQ with approximately 100 people in attendance. This was a successful event seeing people come through to review maps and plans for the future of Folly Road.

Drainage Committee: No Report.

Business Development Committee: No Report.

Trees Advisory Committee: Councilman Milliken announced the Tree Advisory Council made a Canopy of Distinction Award to the Good Family for their majestic oak tree at 1529 Harborview Road. He encouraged everyone to go and look at this beautiful tree. The Tree Advisory Council met on May 9 and identified a Canopy Award. A Tree Steward winner will be announced in July. They also discussed plans for a Tree Intern Program to identify places to plant trees along the island's rights-of-way. The committee hopes to have students from Trident Tech, College of Charleston, and the Citadel to participate. The committee also discussed plans to identify and keep the right-of-way tree care projects going after the completion of the Camp Road Improvement Project.

James Island Intergovernmental Council: Ms. Grimbball announced that the next meeting will be held in late summer.

Proclamations and Resolutions:

Proclamation for 63rd Annual Public Works Week: Motion for approval by Councilman Milliken, seconded by Councilman Mullinax and passed unanimously.

Resolution #2023-07: Charleston County Transportation Tax Funds (CTC) Nabors Drive Sidewalk Project: Ms. Grimbball reported that this is the last in the series of sidewalk projects. This project has been in preliminary design and we have an estimated cost of \$470,000. The roadway includes County, City and Town jurisdictions. She said the way the resolution is presented is that she will try to pursue funding from the other entities to commit to the 50% match for CTC funds to go towards the FY 2024 CTC application cycle. This project should be shovel ready by 2024 when this funding cycle is due to commence. Motion for approval by Councilman Milliken, seconded by Councilman Boles.

Ms. Grimbball provided clarification to Councilwoman Mignano on how the match would be divided among the entities. She explained it is roughly 50/50 between the City, Town and unincorporated Charleston County. There are 45 properties directly adjacent to the sidewalk; the City has 20, the Town 17, and unincorporated Charleston County, 9. Councilman Milliken asked if the drainage would be the first consideration since this is a CTC project prior to the sidewalks going in. Mayor Woolsey replied since this is a CTC project, with state funds, fixing the drainage would be an important issue. Councilman Milliken asked if that cost would be included or added. Laura Cabiness responded that the design does include drainage work. Motion passed unanimously.

Resolution #2023-08: To Acquire Real Property Located at 1129 Hillman Street (TMS #428-03-00-062): Ms. Grimbball reported that she has obtained the environmental report for the grounds on the Hillman property previously requested by Council and the findings stated there are no remains of construction debris. The only thing cited was a location where an old septic tank was identified therefore the report came back with no environmental concerns. Motion to approve by Councilman Mullinax, seconded by Councilman Boles and passed unanimously.

Ordinances up for First Reading:

Ordinance #2023-04: Proposed Amendment Changes to Accessory Structure, Driveway, Setbacks and Changes to Merge Bed & Breakfasts Term with Short-Term Rentals Term; to further define/clarify Regulations: Motion for approval by Councilman Milliken, seconded by Mayor Woolsey.

Councilwoman Mignano asked if by changing the Ordinance, does it add more restrictions to short-term rentals than we had previously and Mayor Woolsey and Ms. Grimball replied “no”. Councilwoman Mignano asked the purpose of merging the Ordinance and Mayor Woolsey explained it is to clarify the Ordinance. She also asked how many short-term rentals are on James Island and Flannery Wood, Planner, replied there are 24 that are permitted and operating legally.

Councilman Boles asked if the Town derives revenues from these short-term rentals and Ms. Wood answered ‘yes’ in business license fees, accommodations tax and state revenue. Councilman Boles stated, in reference to those who came to make public comment on this, that he cannot address them directly, but we can discuss if the proposed amendments changes what someone can do with their short-term rental. Ms. Grimball said the Ordinance would still prohibit a short-term rental if it is non-owner occupied as it does now. She went on to explain that one of the people that spoke tonight has them as investment properties, which would never be legal unless an owner or operator lives on site, as per the current Ordinance. She said for those who live in the home on their property and want to rent out rooms on a short-term basis, they would be considered owner-occupied, and for those instances, none of the verbiage or regulations are changing. She went on to explain that the word “short-term rental” is being added to the Ordinance where it just said, “bed and breakfast” previously and define other things i.e., “do you have to serve breakfasts”? “do you need to have a separate or shared kitchen”, etc. She explained that owners living in the home have more control over the behavior of the renters and would be more specific about who they allow to rent a room in their home and not just have it open to anyone having transient people in and out of neighborhoods.

The Council spoke generally about other issues surrounding short-term rentals. Councilman Boles said in the City of Charleston’s Air-BnB District they post the advertising of Air-BnB and the business licenses. Mayor Woolsey stated that was recently added and is not a requirement by the Town’s Ordinance. Councilman Boles asked if the business license fee is calculated on the revenue the rentals generates, to which Ms. Grimball responded ‘yes’. Mayor Woolsey added that the accommodations tax is collected at the state level and is then returned to the municipality. Councilman Boles asked about complaints from non-owner occupied short-term rentals. Ms. Grimball replied that complaints from non-owner occupied short-term rentals are typically the most complaints we receive. He asked if there are emails and reports related to this and Ms. Grimball said she could pull together a report of code enforcement complaints and issues that we have investigated. Councilman Boles shared that New Orleans had a difficult time with people being supplanted by non-owner occupied short-term rentals and that he believes we are within our rights to regulate them but wants to be sure that we are careful in how we regulate them. He went on to suggest that since this is the First Reading of the Ordinance, he is interested in exploring how much more the Town may be able to benefit from a permitting and revenue perspective. Councilman Boles moved to defer First Reading. He would like to see the complaints and stated that (he’s seen the house on Nabors over-run with kids, so he believes there are complaints). At the same time, although you can make a lot of money, if we do something that’s going to take away people’s money we may need to look into this further. He would like to learn more about this and that is the reason he is making a motion to defer. Mayor Woolsey asked if there was anyone in favor of deferring. Councilwoman Mignano seconded the motion. Those in favor deferring: Councilman Boles and Councilwoman Mignano. Those opposed to deferring: Councilman Milliken and Mayor Woolsey. Mayor Woolsey announced that the motion failed upon a tie of 2-2. Councilman Mullinax did not provide a vote.

Councilman Milliken asked about parking and when assessing a license for Air-BnB if the parking situation is considered; and how many vehicles it could accommodate. He said a lot of times you see five cars in the front yard and that is not great. He wonders if parking spaces are a part of the permit process and Ms. Grimball answered yes, it is. Ms. Wood responded that the Ordinance requires there be a certain number of parking spaces

provided depending on the number of rooms that are offered for rent. Mayor Woolsey asked that Councilman Milliken keep in mind that if a property is rented by the month or an annual lease, there are no requirements how the parking is handled. Mayor Woolsey continued by explaining that the Town does not provide any options for non-owner occupied rentals and only allows for Bed & Breakfasts if the owner lives on the property. He further explained that the version of the Bed & Breakfast Ordinance that is in place now has been in place since the Town was formed. Most people say that they are not aware of the Ordinance but he noted that even before the Town was formed in 2012, the County had the same Ordinance in place. Some other jurisdictions have changed their Ordinances to allow these to operate in residential areas. People are buying properties within neighborhoods, and by the owners not living on site, they have essentially created mini hotels within residential neighborhoods. He went on to explain that what is being proposed tonight does not change the way the Town regulates short-term rentals. It is to clarify that the Town will regulate them in the same way that Bed & Breakfasts are. In 2002, short-term rentals were not anything that people talked about, there were only bed and breakfasts. These modifications are just to continue to regulate them in the same way that Bed & Breakfasts have always been regulated but adding the current terminology will clarify the Ordinance.

Councilwoman Mignano asked for clarification about Exhibit D, (E). Ms. Grimboll stated that it clarifies that the living space set aside for use as a short-term rental would not be allowed as a separate kitchen area from that of the main home, unless it was something that was previously permitted before the incorporation of the Town, making the second kitchen “legal non-conforming”. Mayor Woolsey stated that under our current Ordinance, you are not allowed to have two kitchens. Councilwoman Mignano also asked for clarification that the purpose of these Ordinance Amendments is not to restrict property rights and that the issues that people have with property rights are already in the original Ordinance, so if we were going to address that, we would need to go back and address the Ordinance in a different way. Ms. Grimboll confirmed that the statement was correct. Councilman Boles said that it appears that this gentleman (Mr. Benson) was allowed to continue short-term renting his property by order of the Magistrate Court; Ms. Grimboll responded that he did not “win” the case; the Town was asked to make some clarifications to the Ordinance and Mr. Benson ceased operating the property on a short-term basis. Councilman Boles said that if a case is dismissed that he would consider that a “win”; Mr. Benson’s argument was that because he doesn’t live there, it can’t be considered a short-term rental, which led to the judge asking for the Ordinance to be clarified. Mayor Woolsey added that the judge was under the impression that the Town and Mr. Benson had reached an agreement outside of court. Ms. Grimboll stated that the Town did not pursue the matter further because Mr. Benson was now renting the property out with a long-term lease. Councilman Boles said this all sounds like a “cleanup” in response to the Benson case. He thinks the judge was saying that it’s unclear so he can’t stop him; Mayor Woolsey clarified that’s where the error is – the judge said he can’t do it in the future, and he’s not doing it now. The judge’s view was that because there is a long-term rental at the property now, the case was moot and suggested that the Town clarify its Ordinance so there isn’t this issue again in the future. Ms. Grimboll stated that other jurisdictions may allow short-term rentals to be non-owner occupied under certain circumstances, but that the way the Ordinance was originally written, and how it is clarified in these amendments, continues to require short-term rentals to be owner-occupied, so in this case, it would always be in violation. There are clarifications in the amendments that would allow a manager or someone that is not the actual property owner to stay on the property. Either way, whether the Ordinance stays the same or not, he would continue to be in violation because its considered a commercial operation, which is also how other entities view it.

Councilman Boles said this is a big issue, having been discussed at the state level, and he does not feel educated enough on this and was unaware of the Magistrate’s case. Though this raises property value, he is not a fan of having more rules and urged Council to use caution in proceeding. He would like to see the data the staff has from Code Enforcement. Mayor Woolsey noted that the amendments were approved unanimously by the Planning Commission at its last meeting. He continued by pointing out that property owners can make money by renting their properties out month-to-month and provide housing for residents of the Town of James Island as opposed to competing for hotels. Councilman Boles said that he does not believe short-term rentals are competing with hotels because it’s a different experience beyond providing accommodations. He also stated that it raises the property value because it is considered commercial property. Councilman Milliken spoke that

property owner rights works both ways. The Ordinance helps to preserve the property rights of the people in neighborhoods; some people may not want a whole neighborhood to turn into short-term rentals. Mayor Woolsey reiterated that we are maintaining the current long standing policy that the judge told us that we need to clarify the Ordinance and that by including the term “short-term rental” is a part of clarifying the policy. Councilwoman Mignano asked to receive copies of the complaints and of the Planning Commission’s decision.

After discussion, the motion was approved 3-2: Councilmembers Boles and Mignano voted ‘no.

Ordinances up for Second/Final Reading:

Ordinance #2023-03: An Ordinance Adopting the Fiscal Year 2023-2024 Budget for the Town of James Island:
A motion approving Ordinance #2023-03 was made by Councilman Boles, seconded by Councilman Mullinax and passed unanimously.

Appointment to Board of Zoning Appeals:

Councilman Boles moved for the appointment of Massey Yannitelli to serve the unexpired term of Commissioner Corie Hipp, on the Board of Zoning Appeals, seconded by Councilwoman Mignano and passed unanimously.

Old Business: None.

New Business: None.

Executive Session: Mayor Woolsey moved that Council enter into an executive session in accordance with 30-4-70(a) Code of Laws of South Carolina for contractual matters regarding the Town Administrator’s contract, the motion was seconded by Councilman Boles and Council entered at 8:11 p.m.

Return to Regular Session: Council returned to its regular session at 8:19 p.m. Mayor Woolsey announced that no votes were taken during the executive session. Mayor Woolsey moved for the acceptance of the Town Administrator’s contract, seconded by Councilman Boles and passed unanimously.

Announcements/Closing Comments:

Councilman Boles thanked the staff for their hard work.

Councilwoman Mignano thanked the staff and asked everyone to stay safe.

Councilman Milliken reminded everyone of the Helping Hands event at Pinkney Park on Saturday at 9 a.m.

Councilman Mullinax thanked the staff for their hard work.

Adjournment:

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

Respectfully submitted:

Frances Simmons
Town Clerk

Town of James Island

% FY Complete 92%

Monthly Budget Report

Fiscal Year 2022-23

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
GENERAL FUND REVENUE														
Accommodations Tax				15102.66			10,748		431	15,869	412		42,563	50,000
Brokers & Insurance Tax						3,607				4,588	9,164		17,359	870,000
Building Permit Fees				4,133	5,508		4,273	2,822		3,854	1,436		22,026	15,000
Business Licenses	2,095	49,260	(793)	58,123	6,302	42,965	8,144	34,414	20,486	65,330	68,180		354,506	380,000
Contributions/Donations-Park													-	
Grant Reimbursement													-	25,000
Franchise Fees	137,406			2,431	40,408		7,478	34,036		2,017	39,145		262,920	332,500
Interest Income	127	157	155	179	242		536	242	281	336			2,255	500
Alcohol Licenses -LOP											6,000		6,000	10,000
Local Assessment Fees			1,032		1,014			1,109					3,155	2,500
Local Option Sales Tax (PTCF)			225,751	106,907	100,740	106,984	101,458	118,329	93,080	99,040	114,712		1,067,000	1,270,000
Local Option Sales Tax (rev)			95,157	45,718	43,533	45,511	43,645	51,438	41,006	41,538	48,814		456,360	530,000
Miscellaneous							371		86,000		(86,000)		371	500
Planning & Zoning Fees	1,000	1,241	1,506	1,005	1,631	890	1,442	980	2,040	1,427	1,015		14,177	15,000
State Aid to Subdivisions					68,087		68,087			68,087			204,260	272,350
Telecommunications						19			11,838				11,857	17,000
Homestead Exemption Tax Receipts													-	50,000
Facility Rentals	456	1,060	152	452	299		1,062	758	910	454	606		6,209	5,400
Stormwater Fees	400	600	1,000	700	900	800	400	300	700	1,100	500		7,400	
ARP Allocation				1,854,631									1,854,631	1,854,631
	141,484	51,718	322,959	2,089,382	268,663	199,977	247,643	244,426	256,072	303,639	203,484	Total	4,333,047	5,700,381
												% of Budget		76%

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
ADMINISTRATION														
Salaries	23,277	23,162	23,200	23,193	23,177	40,139	23,315	23,552	23,560	23,615	24,101		274,291	320,000
Benefits, Taxes & Fees	9,424	9,508	9,615	9,605	9,601	15,281	10,500	10,560	10,439	10,368	10,377		115,278	130,000
Copier	12	337	745	454	239	379	282	254	254	288	453		3,696	5,500
Supplies	151	272	639	617	848	319	134	382	688	515	349		4,914	5,000
Postage		214	200	214	14	100	978	200			414		2,334	6,000
Information Services	472	3,635	4,365	4,858	4,902	471	5,803	4,625	8,739	4,828	3,528		46,227	72,000
Equipment/Software/Maintenance							23,568						23,568	
MASC Membership								5,347					5,347	5,500
Insurance	17,801		1,805		13,329			18,974					51,909	50,569
Lobbying Services	2,000	2,000	2,000		4,000	2,000	2,000	2,000	2,000	2,000	2,000		22,000	24,000
Legal & Professional Services								3,484					3,484	56,000
Town Codification					220				350		450		1,020	1,400
Advertising				524			285	100			87		996	3,500
Audit						12,500							12,500	12,500
Mileage Reimbursement		26	28	31	31	31	32	31		32	60		304	800
Employee Screening	175				41	153			60		180		609	
Employee Training & Wellness	270		540	2,269	405	270	270	270		540	405		5,338	3,800
Dues and Subcriptions		85		60		40	60		60				305	1,500
Training & Travel							5				63		68	2,000
Grant Writing Services				2,310									2,310	16,000
Employee Appreciation	47		8	180			60			49			343	800
Mobile Devices	34	114	85	76	76	114	114	114	114	114	114		1,069	2,100
Credit card (Square)	137	149	129	115	137	90	113	118	221	118	198		1,524	
Bank Charges (Payroll Expenses)	301	415	420	420	426	437	445	440	440	474	398		4,616	2,000
	54,100	40,016	43,780	44,926	57,446	72,324	67,965	70,452	46,865	43,001	43,176	Total	584,052	720,969
												% of Budget		81%

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
ELECTED OFFICIALS														
Salaries	3,769	3,769	3,769	3,769	3,769	5,654	3,769	3,769	3,769	3,769	3,769		43,346	50,000
Benefit, Taxes & Fees	4,384	4,403	4,422	4,422	4,422	6,632	5,002	5,002	5,002	5,015	5,027		53,731	60,000
Mayor Expense				60	70		60			50			240	1,000
Council Expense													-	2,000
Mobile Devices	38	38		38	38								152	500
	8,191	8,210	8,191	8,289	8,299	12,286	8,831	8,771	8,771	8,834	8,796	Total	97,469	113,500
												% of Budget		86%

GENERAL OPERATIONS														
Salaries	23,152	23,062	23,062	23,062	22,731	44,283	27,215	28,017	28,017	26,901	24,712		294,212	366,766
Benefits, Taxes & Fees	8,688	8,810	8,925	8,913	8,844	16,135	11,335	11,547	9,785	11,001	9,834		113,817	134,593
													408,030	501,359
													% of Budget	81%

PLANNING														
Supplies						76		110	(45)	191			332	600
Advertising	38		95		136	129			353		88		838	1,500
Mileage Reimbursement													-	200
Dues and Subscriptions													-	715
Training & Travel				300	440								740	1,000
Mobile Devices													-	660
Equipment/Software	324	199	199		199	209	408	200		562	352		2,653	2,160
Uniform / PPE													-	500
Planning Commission		150					200			100			450	4,000
Board of Zoning Appeals		1,560		200	100		200		200				2,260	4,000
	362	1,909	294	500	875	415	808	310	507	853	440	Total	7,273	15,335
												% of Budget		47%

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		

BUILDING SERVICES

County Contract Building Permit Tech			14,792	134		14,538			14,538				44,003	60,000	
Community Outreach													-	250	
	-	-	14,792	134	-	14,538	-	-	14,538	-	-		Total	44,003	60,250
													% of Budget		73%

PUBLIC WORKS

Mileage Reimbursement													-	300	
Training & Travel		280								550			830	1,925	
Public Outreach													-	500	
Projects	183	773	4,200	2,218		1,575	5,726	207	42	3,150	590		18,665	180,000	
Signage			1,281										1,281	8,000	
Mobile Devices		39											39	1,080	
Uniform / PPE					307		157	257	15				736	700	
Supplies	106	467	1,308	609	362	358	1,089	660	1,208	371	141		6,681	8,000	
Emergency Management	892	892	4,447	6,391	24,972	12,391	(12,809)	(4,418)	1,733	(697)	5,872		39,668	20,000	
Dues and Subscriptions		232						121					353	425	
Asset Management	37		39	39	39	25,039	39	639	39	39	39		25,985	45,000	
Tree Maintenance and Care			350	350				750	1,400	3,260	1,050		7,160	20,000	
Groundskeeping	4,292	305	4,272	5,396	12,223		5,405	5,071	5,121	5,044	5,834		52,963	70,000	
	5,510	2,987	15,898	15,003	37,903	39,363	(271)	3,166	9,559	11,718	13,527		Total	154,361	355,930
													% of Budget		43%

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		

CODES & SAFETY

Mileage Reimbursement													-	100
Equipment		960											960	900
Radio Contract		798			798			798			798		3,192	3,500
Training													-	500
Supplies				18		20							37	250
Uniform / PPE					55								55	250
Unsafe Buildings Demolition													-	10,000
Overgrown Lot Clearing													-	2,000
Animal Control													-	3,000
Crime Watch Materials													-	250
Mobile Devices													-	360
Membership/Dues													-	250
	-	1,758	-	18	853	20	-	-	798	-	798	Total	4,244	21,360
												% of Budget		20%

ISLAND SHERIFF'S PATROL

ISP Dedicated Officer Annual Expense										28,647	17,036		45,683	\$ 129,660
ISP Programs & Supplies	59	750	158	845	718	1,296	1,440	5,818	(827)	793	1,071		12,120	\$ 15,000
ISP Salaries	19,788	18,630	18,251	15,270	25,695	20,800	18,131	16,943	17,358	13,620	23,895		208,380	\$ 173,852
Benefits, Taxes & Fees-ISP	5,543	5,298	5,294	4,366	7,336	5,931	5,274	4,928	5,046	3,962	6,926		59,904	\$ 42,758
	25,389	24,679	23,703	20,481	33,749	28,027	24,845	27,689	21,577	47,022	48,927	Total	326,087	\$ 361,270
												% of Budget		90%

PARKS & RECREATION

JIRC Contribution													-	4,750
Park Maintenance	525	398	627	998	525	125	829	528	190	2,072	541		7,358	12,000
Special Events						933							933	5,000
Youth Sports Program						1,090							1,090	14,725
		398	627	998	525	2,148	829	528	190	2,072	541	Total	9,382	36,475
												% of Budget		26%

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		
FACILITIES & EQUIPMENT														
Utilities		2,775	3,149	2,324	3,695	721	2,200	2,218	2,182	2,782	1,554		23,599	44,100
Security Monitoring		76		76	301	91	152	76	76	76			924	1,000
Janitorial	1,350		1,350	1,350	1,350		1,350	1,350		2,700	1,350		12,150	7,920
Equipment / Furniture			480			919							1,399	5,700
Facilities Maintenance	345	1,750	295	75	3,160	75	2,443	1,750		5,916	75		15,885	6,500
Vehicle Maintenance Expense		348	919	316	556	101	486	98	714	1,287	388		5,214	10,000
Fees and Taxes													-	
Generator Maintenance						398					1,448		1,846	2,410
Street Lights		12,214	12,214	12,214	24,428		12,214	12,434	12,442	12,458	12,458		123,076	161,700
	1,695	17,163	18,407	16,355	33,491	2,305	18,845	17,926	15,414	25,219	17,273	Total	184,093	239,330
												% of Budget		77%

COMMUNITY SERVICES														
Repair Care Program						2,793				22,344			25,137	35,000
Drainage Council													-	500
History Council				176	963					425			1,565	3,780
Neighborhood Council				250									250	3,750
James Island Arts Council													-	3,500
Business Development Council													-	3,500
James Island Pride			102	1,913			101		342	44			2,503	3,500
Helping Hands			80	60				32			75		247	500
Tree Council													-	3,500
Community Tutoring Programs														12,500
Community Service Contributions					31,100				500		305		31,905	50,000
		-	182	2,399	32,063	2,793	101	32	842	22,813		Total	61,607	120,030
												% of Budget		51%

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET	
	July	August	September	October	November	December	January	February	March	April	May	June			
CAPITAL PROJECTS															
<u>INFRASTRUCTURE</u>															
Dills Bluff Sidewalk Phase III-Seaside to Winborn			3000			6000				21000	906		30,906	147,514	
Dills Bluff Sidewalk, Phase IV-Winborn to HBVR													-	45,000	
Regatta Road Sidewalk									2501				2,501	116,000	
Camp and Riverland Sidewalk (match)														100,000	
Town Hall Solar Panels											52975		52,975	68,200	
1129 Hillman								600	1600		265982		268,182		
Hillman Street Property			226998										226,998		
Capital Improvement Projects													-		
Secessionville to Ft. Johnson Sidewalk Connector													-	13,000	
Honey Hill Road Paving														58,800	
Nabors Phase I			3900							3500			7,400	52,400	
Underground Power Lines													-	220,000	
Traffic Calming Projects		64	64	64	127		9099	63	63	3738	1138		14,420	50,000	
Septic Tank Testing	900	2350	600		3100	600	1900	5400	4200	7700	1800		28,550	100,000	
James Island Creek Septic and Sewer Projects													-	1,854,630	
													Total	631,931	2,825,544
													% of Budget		22%
<u>Capital Equipment</u>															
Audio Visual Upgrades	382										12633		13,015	70,000	
ISP Dedicated Officer Initial Expenses													-	67,500	
Public Works Equipment								49742	517				50,259	50,000	
<u>PARK IMPROVEMENTS</u>															
Dock Street Park			500								33		533	50,000	
Pinckney Park													-		
Park Projects													-	50,000	
<u>DRAINAGE PROJECTS</u>															
Greenhill/Honey Hill Drainage Phase I-II				1112									1,112	261,000	
Oceanview Stonepost Drainage Basin -I-II				15000		15583	204	1803	36519	4546	25600		99,254	417,000	
Drainage Outflow Valve Devices													-	48,000	
Drainage Improvement Projects								1115	4830	25601	9835		41,381	100,000	
James Island Creek Basin Drainage Improvements													-	145,300	
Highwood Circle Drainage Improvements													-	17,900	
Quail Run Drainage Improvements													-	57,675	
	1,282	2,414	235,061	16,176	3,227	22,183	11,203	58,123	46,729	70,186	370,901		Total	837,483	1,046,875
													% of Budget		80%

	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			TOTAL	BUDGET
	July	August	September	October	November	December	January	February	March	April	May	June		

TREE MITIGATION FUND

Tree Mitigation revenue											85,200		94,688	500
Tree Mitigation expense	-	-	-	-	-	-	-	-	-	-	-		-	1,200
											85,200	Total	94,688	

JIPSD FIRE & SOLID WASTE SERVICES

JIPSD Tax Relief	105,833	105,833	105,833	105,833	105,833	105,833	105,833	105,833	105,833	105,833	105,833		1,164,163	1,270,000
Auditor Expense													-	1,000
												Total	1,164,163	1,271,000
												% of Budget		92%

American Rescue Plan

	21/22 Actual													
Beginning Balance		1642807	1641526	1639112	1404051	3242506	3239279	3217477	3206274	3197893	3151681	3081495		
Revenue	1,854,631				1854631									
	211824	1281	2414	235061	16176	3227	22183	11203	8381	46212	70186	370901		999049
	1,642,807	1641526	1639112	1404051	3242506	3239279	3217096	3206274	3197893	3151681	3081495	2710594		

ADMIN NOTES

- 1) The Town will receive Public Assistance funding from FEMA to cover Emergency Protective Measures and Debris Removal expenses that were incurred as a result of Hurricane Ian. We expect to have all expenditures reimbursed for a total of roughly \$20,000.
- 2) We received a notice of intent to terminate the tree protection agreement with Dominion Energy, effective July 31, 2023. Dominion representatives stated that they fully intend to work with the Town to accomplish vegetative management necessary so they may provide safe and reliable service.
- 3) *Camp Road Tree Preservation Project*: In developing a plan and costs to perform the recommended work, Natural Directions is awaiting a scheduled meeting date with SCDOT so they can work out the details regarding work on the trees in the ROW. We hope to get the work scheduled as soon as possible.
- 4) *Stone Post/Oceanview Drainage Project*: Public Works is monitoring progress, attending weekly meetings with the contractor and engineer, and working with residents with questions and/or concerns. Work is proceeding as expected.
- 5) *Marsh Walk Village PD (at JIPSD property on Dills Bluff)*: The engineer has held three community workshops and one Planning Commission workshop, and staff has reviewed the first draft of the PD. The engineer intends to make final corrections to the PD document and submit by June 23, which would place it on the August Planning Commission agenda if he can meet all of the PD requirements outlined in the ZLDR. The proposal includes 20 attached dwelling units in groups of four units, dedicated open space and stormwater ponds, and a commercial area along Dills Bluff Road.

Code Enforcement Cases

TOTAL CASES	926
ABATED	895
INVESTIGATION CONTINUING	31
RANK VEGETATION / SOLID WASTE	250
INOPERABLE VEHICLE	150
TREE CASES	60
NUISANCE PROPERTY	74

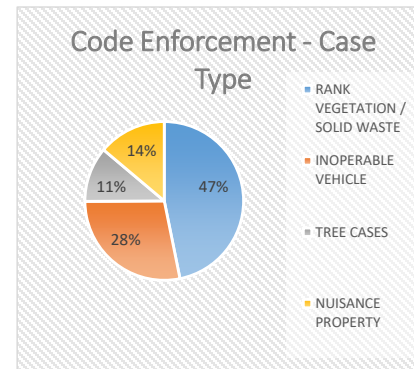
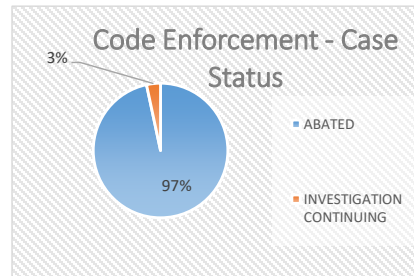
*9 new cases in May

James Island Arts and Cultural Center

Continuing Classes: knitting group, watercolor group, area artist exhibits, children's art lessons, private art tutoring, princess parties, History Council meetings, Historic Pathway meetings, Palmetto Youth Choir practices, adult watercolor classes, adult acrylic classes, children's yoga.

May Events: Flower Club luncheon was held on 5/10; History Council met 5/2; Juried Art Exhibit closed 5/18.

Upcoming Events: Various summer camps are schedule throughout June, July and August; new programming being added for Saturdays with new part-time staff!

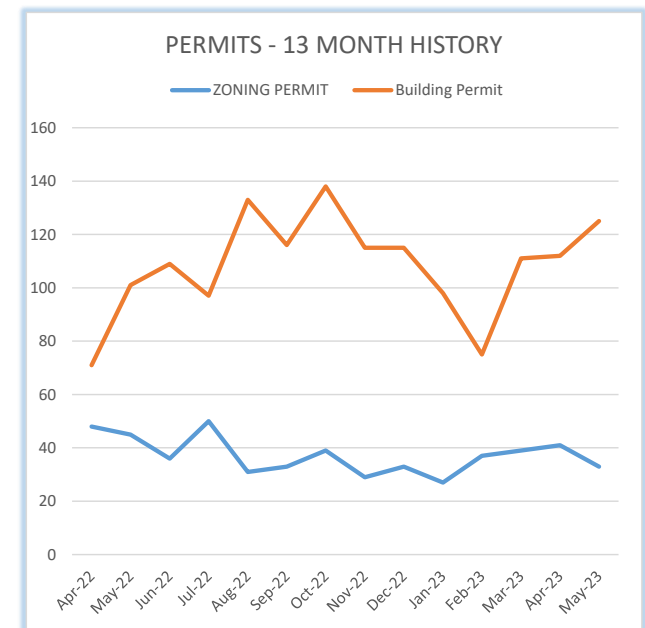


PERMIT TYPE	May-23
ACCESSORY STRUCTURE	10
CLEARING & GRUBBING	-
DEMOLITION PERMIT	2
EXEMPT PLATS	-
FIREWORK STAND	-
HOME OCCUPATION	6
LIMITED SITE PLAN REVIEW	1
NON-EXEMPT PLAT	-
PD/ PD AMENDMENT (REZONING)	-
RESIDENTIAL ZONING	3
REZONING	-
SPR	-
SIGN PERMIT	3
SITE PLAN REVIEW	-
SPECIAL EVENT	-
SPECIAL EXCEPTION	-
TEMPORARY ZONING	1
TREE REMOVAL	8
TREE TRIMMING	-
VARIANCE	-
ZONING PERMIT	6
TOTAL	40

PUBLIC WORKS NOTES

- 1) Staff participated in the SCDOT / Stantec road safety assessment of Folly Road.
- 2) Staff met with contractors for culvert repair on Grand Concourse
- 3) Staff met with contractor for the Seaside-Honey Hill drainage project
- 4) Staff held a meeting for residents on Pauline Avenue to discuss traffic calming proposal.
- 5) Staff held the monthly Stormwater Managers Meeting.
- 6) The quarterly Drainage Committee meeting will be August 9th.
- 7) Staff met with a contractor for options to replace the JIACC roof.
- 8) Staff monitored the Oceanview-Stonepost drainage project. Utility locations caused challenges for placing the new culvert under Stonepost Rd.
- 9) Staff participated in the meeting of the Technical Committee for the James Island Creek Task Force.
- 10) Staff met with representatives of an alternative method of pipe lining for damaged culverts.
- 11) Septic Tank inspections: 3 new inspections that passed, bringing our totals to 63 inspected with 11 failed.
- 12) Staff replaced 5 street signs and filled 2 potholes in May.

BUILDING PERMITS ISSUED MAY 2023: 123





Town of James Island

Memo

To: Mayor and Town Council
From: Niki Grimball, TA
Date: June 9, 2023
Re: Code Enforcement Data on Short-Term Rentals

A public hearing was held at the May 2023 Town Council meeting where Councilmembers requested more information about complaints and code enforcement actions regarding illegally operating short-term rentals within the Town of James Island. Below is a summary of code enforcement cases and types of complaints received.

- 46 total cases involving Short-Term Rentals/ Bed & Breakfasts;
- 26 of the 46 total have ceased operation due to inability to comply with the ordinance;
- 8 of the 46 total have been issued Bed & Breakfast permits because they meet the requirements;
- 6 of the 46 total are now operating as long-term rentals (more than 30 day leases);
- The remaining 6 are still under investigation and/or in the process of coming into compliance or shutting down but code enforcement has not yet closed the cases.
- Majority of complaints are from folks that are uncomfortable with having “new neighbors” every weekend and feel uneasy about having transient people without an owner on site, especially if the complainants have children.
- Some complaints are about noise, parties, and excessive parked cars; these complaints are occasional.



ESTIMATE

No: 53203

Date: 6/5/23

R Francis Simmons
O Town of James Island
L P. O. Box 12240
Charleston SC 29422-2240
Phone: 843-795-4141
Fax:

Table with 3 columns: QUANTITY, DESCRIPTION, AMOUNT. Row 1: 2,500, Town of James Island Booklet, \$ 3,946.83. Row 2: Tax, 355.21. Total: 4,302.04. Sales Rep: Emily

PLEASE NOTE

- Estimate is valid for 10 days.
• Estimates that include design and layout are subject to revision when allotted time is exceeded.
• Customer supplied files may require extra computer preparation, resulting in additional charges.
• Deposit requirements for new customers: 1/2 when order is placed, the balance is due upon delivery.
• Net 20 terms are available with approved credit.
• Security deposits may be required for larger orders from all customers.
• Freight, if any, will be added when final invoice is prepared.
• Tax will be added where applicable. If you are tax exempt, your exemption certificate is required with order.
• All orders may be shipped with a +/- 10% variation in quantity. Invoice will be adjusted to reflect the actual shipping quantity.
• Prices are subject to change if specifications are not the same when order is received.

X ESTIMATE READ AND APPROVED DATE DESIRED DELIVERY DATE
NOTE: Rush service or delays by Customer may incur extra charges to meet desired deadline.

Thank You - We Appreciate Your Business



ESTIMATE

No: **53191**

Date: 5/31/23

R Francis Simmons
 O Town of James Island
 L P. O. Box 12240
 Charleston SC 29422-2240
 Phone: 843-795-4141
 Fax:

QUANTITY	DESCRIPTION	AMOUNT
6,100	postcard mailer - 2 sided - 4.25x5.5 - 14pt c2s with aquas coating on front - Add our bulk mailing indicia	\$ 519.98
6,100	Mailing Services	\$ 259.25
6,100	ESTIMATED Postage	\$ 1,769.00
	Tax	229.34
Sales Rep: Emily		\$2,777.57

PLEASE NOTE

- Estimate is valid for 10 days.
- Estimates that include design and layout are subject to revision when allotted time is exceeded.
- Customer supplied files may require extra computer preparation, resulting in additional charges.
- Deposit requirements for new customers: 1/2 when order is placed, the balance is due upon delivery.
 - Net 20 terms are available with approved credit.
 - Security deposits may be required for larger orders from all customers.
 - Freight, if any, will be added when final invoice is prepared.
- Tax will be added where applicable. If you are tax exempt, your exemption certificate is required with order.
- All orders may be shipped with a +/- 10% variation in quantity. Invoice will be adjusted to reflect the actual shipping quantity.
 - Prices are subject to change if specifications are not the same when order is received.

X _____ DATE

ESTIMATE READ AND APPROVED

DESIRED DELIVERY DATE _____

*PLEASE CIRCLE ITEM(S) AND QUANTITY(S) DESIRED ON ESTIMATE ABOVE.

NOTE: Rush service or delays by Customer may incur extra charges to meet desired deadline.

Thank You - We Appreciate Your Business



Town of James Island

Memo

To: Mayor and Town Council
From: Niki Grimball, TA
Date: June 9, 2023
Re: Social Media Manager Partnership with JIPSD

As a part of the James Island Public Service District Strategic Planning process, the top priority goal identified is to increase communication, and in their FY24 Implementation Plan, it includes onboarding a contracted Social Media Manager to help reach the goals of the Strategic Plan.

When I learned about this plan, I inquired about the potential for the Town to partner with the JIPSD on this initiative as I believe the Town could benefit significantly from this as well to enhance our outreach to the citizens and businesses in the Town of James Island. Here are a few reasons this could be a beneficial partnership to enter:

- With a small staff, public outreach is often the first “item” to be put at the bottom of the list of tasks because there is often a need to solve a more pressing or immediate problem or help a citizen in the office. Unfortunately, the negative impact to this is that sharing “good news” and happenings in the Town either need to be planned and scheduled in advance, or they happen after the fact.
- With a contracted Social Media Manager, we could work through planned and scheduled outreach that could be mapped out months in advance so we have great content that will grab the attention of the constituents. For instance, coming up with a marketing plan and schedule for promoting the Public Works event in the fall, or getting folks to prepare for hurricane season, among many others.
- For things/ postings that are unplanned, this Manager could assist staff with targeted messaging, and/or provide consultation in best practices to get the information we are trying to deliver out appropriately. Examples in the recent past include sharing a photo of the Town’s Deputy that received a care package from a local business that included waters, granola bars, etc. just as a way of saying thank you. Or, if we are having code enforcement issues with complaints about people not mowing their grass, we could pull together social media messaging that can get the word out effectively.

- Many things that the Town is a part of also include the JIPSD, so this Manager could work on how the Town and the PSD can support each other through social media campaigns in these instances, as well as monitor and share posts from other local entities or shared interests as appropriate.

James Island Public Service District plans to advertise a Request for Proposals (RFP) by the end of June 2023. JIPSD has budgeted \$20,000 for this contract; if the Town would like to partner, we would need to determine how much the Town would contribute in addition to the \$20,000 JIPSD allocation. JIPSD would manage the contract and the Town would enter into a Memorandum of Understanding (MOU) to reimburse the JIPSD for the Town's portion of the contract amount, billed monthly, through June 30, 2024.

AN ORDINANCE

AN ORDINANCE AMENDING THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 2013-07: ACCESSORY USES AND STRUCTURES, SECTION 153.200 (EXHIBIT A); MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS, SECTION 153.066 C 1 C (EXHIBIT B); ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS, SECTION 153.207 (EXHIBIT C), AND BED AND BREAKFASTS, DEFINITIONS, USE TABLE, SECTIONS 153.124, 153.013, TABLE 153.110 (EXHIBIT D):

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 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 recommended that the Town of James Island Council adopt the proposed text amendments of the ZLDR as set forth in Sections 153.200, 153.066, 153.207, 153.124, 153.013 and Use Table 153.110 herein; and

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

WHEREAS, the Town Council has determined the proposed text amendments meet the following criteria:

- (1). The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- (B). The proposed amendment is consistent with the adopted Town of James Island Comprehensive Plan and goals as stated in Section 153.005; and
- (C). The proposed amendment is 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 AMENDMENT 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 amendments of Sections 153.200, 153.066, 153.207, 153.124, 153.013 and Use Table 153.110 is attached hereto as “Exhibit A”, “Exhibit B”, “Exhibit C” , and “Exhibit D” 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 18th day of May 2023.

TOWN OF JAMES ISLAND COUNCIL

By: _____
Bill Woolsey
Mayor of the Town of James Island

ATTEST:

By: _____
Frances Simmons
Town Clerk of the Town of James Island

Public Hearing: May 18, 2023
First Reading: May 18, 2023
Second Reading: June 15, 2023

EXHIBIT A

§ 153.200 ACCESSORY USES AND STRUCTURES ALLOWED

(C) *Accessory structures and buildings.* An **ACCESSORY STRUCTURE** is a structure that is detached from a principal structure and customarily incidental and subordinate to the principal structure. Accessory structures include, but are not limited to, swimming pools, fences, and detached accessory buildings (barns, garages, sheds, gazebos). If any accessory building is attached to a principal building with a roof supported by columns or walls, it shall be deemed part of the principal building provided the attachment is a minimum of four feet in width with a minimum length to width ratio of 4:1. In such cases, the structure shall comply with the setback requirements of the applicable zoning district. ~~This does not include accessory dwelling units to be considered part of the principal dwelling unit.~~

(Ord. 2012-06, § 6.5.1, passed 10-18-2012; Ord. 2013-02, passed 4-18-2013)

EXHIBIT B

§ 153.066 MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS; DIMENSIONAL STANDARDS DEFINED

(C) *Setbacks.* **SETBACKS** refer to the unobstructed, unoccupied open area between the furthestmost projection of a structure and the property line of the lot on which the structure is located, except as modified by the standards of this section.

(1) *Exceptions to setbacks.* Every part of a required setback must be open and unobstructed from the ground to the sky except as set out in this division.

(c) Driveways may be located in front and **street** side setbacks.

EXHIBIT C

§ 153.207 ACCESSORY STRUCTURES IN RESIDENTIAL/OR DISTRICTS

(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 square feet or under) or at least five feet (if size of structure is over 120 square feet) 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 **unless approved by zoning administrator. Vision clearance triangle must be maintained.**

EXHIBIT D

153.124 BED AND BREAKFASTS./SHORT-TERM RENTALS

Bed and breakfasts/short-term rentals 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 § 153.210 of this code.~~

(B) ~~No exterior alterations, other than those necessary to ensure the safety of the structure, shall be made to any building for the purpose of providing a bed and breakfast.~~ **In residential zoning districts there shall be no visible evidence of the conduct of a bed and breakfast/short-term rental when viewed from the street right-of-way or from an adjacent lot and signs are expressly prohibited.**

(C) Bed and breakfasts/short-term rentals shall contain no more than 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.~~ **There shall be no cooking or kitchen uses in the bed and breakfast/short-term rental space, distinct from the principal dwelling, in residential zoning districts.**

(F) Parking areas for bed and breakfast/short-term rental uses located in agricultural or residential zoning districts shall be screened from view of residential zoning districts and public rights-of-way by evergreen plant material that will provide opaque screening at the time of plant maturity. In addition to all vehicles. **In addition to vehicles registered at the dwelling address, only one car per guest room is allowed and must be capable of being completely parked within and upon the premises.**

(G) **Owner of bed and breakfast/short-term rental shall be a full-time resident of the dwelling and shall reside in the dwelling in residential zoning districts. Proof of full-time residency must be provided at the time of application with owner-occupied legal residence tax bill, driver's license, voter registration, vehicle registration, and any other documentation requested by the Zoning Administrator and listed on the application. There shall be an owner or innkeeper/manager residing on the premises in non-residential zoning districts.**

(H) **Advertisements and listings for bed and breakfast/short-term rentals must include an approved permit number. Advertisements that do not list a permit number are considered a violation of this ordinance.**

(Ord. 2012-06, § 6.4.4, passed 10-18-2012; Ord. 2013-02, passed 4-18-2013; Ord. 2019-01, passed 5-16-2019)

