SURFSIDE BEACH PLANNING & ZONING COMMISSION
TOWN COUNCIL CHAMBERS
JANUARY 5, 2015 • 6:00 P.M.

1. CALL TO ORDER.

Chairman Pruitt called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Pruitt, Vice Chairman Abrams and members Crone, Johnson, Lauer, and Lowery. Member Elliott was absent. A quorum was present. Others present: Town Clerk Herrmann and Planning Director Morris.

2. PLEDGE OF ALLEGIANCE.

Chairman Pruitt led the Pledge of Allegiance.

3. AGENDA APPROVAL.

Ms. Crone moved to approve the agenda as presented. Ms. Abrams seconded. All voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL.

Mr. Lauer moved to approve the November 3, 2015 meeting minutes as submitted. Ms. Johnson seconded. All voted in favor. MOTION CARRIED.

5. ELECTION OF OFFICERS.

Ms. Johnson moved to nominate Mr. Pruitt as chairman and Ms. Abrams as vice chairman. Ms. Crone seconded. All voted in favor. MOTION CARRIED.

6. BUSINESS.

A. Amend Article IV, Section 17.408 – Accessory Buildings and Uses in Residential Districts to allow language for non-residential accessory buildings and uses.

i. Public Hearing.

Ms. Morris presented a slide presentation, a copy of which is on file in the planning, building and zoning department. She also explained the proposed changes to the ordinance. Ms. Abrams asked if nonconforming uses would be created with existing gas station canopies. Ms. Morris said no, all existing canopies meet the requirements.

Chairman Pruitt opened the public hearing at 6:12 p.m.

“Good evening. Ron Ott, 7th Avenue North. As for the structure itself, I have a, two units that were there when I moved there, and one is aluminum. It’s aluminum siding building, would that become, would (***) be looking at that? It’s a metal aluminum, it’s metal. The other one’s plastic, and so I would be wondering when you say no metal, okay, so aluminum out of the question or … you don’t have to answer any of these questions, I’m just thinking (**). The other one, nonresidential, nonresidential, that’s like commercial, I guess. Chairman Pruitt said that’s correct. Mr. Ott continued saying: What usage is in there, and we have problems with that before; I’ve seen in town. But as for, how about residential with nonresidential uses in there? Do we have people, and I guess they’re allowed to have, they’re allowed to have what, machinery in there if you have a little house in the back, because well, I have machinery in mine, too. Mine are both movable, even the bigger aluminum one. It is on rails and can be moved in and out. It can be moved from where it is and it’s gonna be illegal, because it’s only three feet from the property line, and the other one’s flat. It’s light. It just holds lawn equipment and I can move that one,
too, by putting aluminum pipes out and rolling it along the lawn. Just things I wanted to bring up that I saw. Architectural design, you’re not gonna go to Lowe’s and get anything that’s architectural and designed, I don’t think either. I don’t know if the average person had; it’s what we have out there. And, there’s also something that was in the ordinance for many years about green houses, and there was a limit to the amount of houses that can be out there. Some people have quite a few, and I think it was a limit of two outhouses. I call ‘em outhouse, they’re not outhouses. They’re, you know, storage units. Chairman Pruitt said accessory buildings. Mr. Ott continued: But, there was always, no matter how many you had, you could also have a green house. So, we can add that to your thinking.”

“Yes, Mike Holt, Yaupon, now all of this, is this for just zone one, or is it for all? I’m in zone three. Chairman Pruitt said it spanned multiple districts, commercial and some residential; most changes are to residential. Mr. Holt: Okay, so then I could possibly have a garage? Chairman Pruitt said it depends on the lot size and some other factors. Mr. Holt: If you enclosed part of the, the house is up on stilts now, could I enclose part of that? Chairman Pruitt asked Mr. Holt to speak with Ms. Morris. Ms. Morris said because his house was in a flood zone, you can have one enclosure that is no more than 290 square feet. Mr. Holt: You can? Ms. Morris said yes. Mr. Holt: Okay, alright.”

Chairman Pruitt closed the public hearing at 6:17 p.m.

ii. Business – Motion on proposed amendment (A).

Mr. Lauer moved to recommend to Town Council the amendments to Article IV, Section 17.408 – Accessory Buildings and Uses in Residential Districts as presented. Ms. Lowery seconded.

Ms. Abrams referred to Section 17-408.4 and said in an abundance of caution she would feel better if the verbiage read “nonresidential uses shall be permitted in commercial zone districts to construct…” to prevent accidentally opening a door to nonresidential uses in residential areas. This would avoid creating a loophole. In Section (a), Item 4 shall be limited to two, and asked if “per property” should be added. Ms. Morris asked how that would affect parcels that have multiple units, like a strip mall. The way the ordinance was written, it meant two per parcel, regardless of the number of businesses. A business could always seek relief through the board of zoning appeals, if there was a hardship.

Chairman Pruitt and Ms. Morris said the intent is per parcel. Ms. Abrams said if that was the intent, then leave it alone. Ms. Abrams referred to 17-408.3, number 4, and asked if “space permitting” should be added. Ms. Morris said the code already limits coverage to not more than 20-percent.

Mr. Lauer referred to 408.2 and 408.4, paragraph 1, and suggested that prohibited uses be listed first as “expressly prohibited,” so people would immediately know what was not permitted. Several members agreed. Mr. Lauer referred to subparagraph (e) exceptions, uncovered patios, etc. and asked if square footage should be included. Ms. Morris said that could be added, but the current building code is written so that if the improvement was pervious materials; lower than 18-inches high and met the setbacks, it could be built.

Chairman Pruitt said a few minor edits for clarification were made and asked for motion to amend the ordinance as discussed. Ms. Johnson so moved. Mr. Lauer seconded. All voted in favor. MOTION CARRIED AS AMENDED.

B. Amend Article III, Section 17-395 Use Table, C2 District to allow for upper story dwelling uses with conditions under Section 17-396.5 and add definition of upper floor dwelling in Section 17.007.

i. Public Hearing.

Ms. Morris presented a slide presentation, a copy of which is on file in the planning, building and zoning department. She spoke with several municipalities that allow upstairs apartments over businesses, and every single person she spoke with had only positive comments like the upstairs apartments bring business to the downtown area and promotes walkability and growth. There were zero negative
comments. She also explained the proposed changes to the ordinance, noting that this only affected the C-2 district.

Chairman Pruitt opened the public hearing at 6:29 p.m. There were no public comments. Chairman Pruitt declared the public hearing closed at 6:29 p.m.

ii. Business – Motion on proposed amendment (B).

Ms. Abrams moved to recommend to Town Council amending Section 17-395 Use Table, C-2 District, to allow for upper story dwelling uses with conditions under Section 17-396.5 and add definition of upper floor dwelling in Section 17.007. Ms. Crone seconded. There was no discussion. All voted in favor. MOTION CARRIED.

7. DISCUSSION ITEMS.

1. Proposed new zoning district – Light Industrial (LI) – recommended by Business Committee. Ms. Morris presented the discussion paper, a copy of which is on file in the planning, building and zoning department. The proposed changes to the ordinance were outlined in detail. To establish a new zoning district, the following must be considered:

- Sandy Lane is the right area to start a LI district, based on the future land use map
- Dimensional standards
- Intent for use permitted
- Setbacks
- Height limitations
- Add permitted uses to the table
- Any conditions
- Parking regulations
- New definitions
- Sign regulations
- Landscape requirements

Ms. Morris said the business committee was very good to work with. The members knew that these various items would have to be addressed. The business committee did a really good job. LI was added under Section 17-303. Setbacks mirror the commercial district. All lots on Sandy Lane are at least 10,000 square feet, so that requirement would not create any nonconforming lots. Side setbacks are 20-feet to allow the fire apparatus to navigate all the way around the building.

Ms. Abrams believed the ordinance should simply state “outside storage prohibited,” without any examples. Mr. Lauer thought the examples should be included. Chairman Pruitt said cars were stored on Sandy Lane. Ms. Morris said that particular property was not in the town. Ms. Morris said the commission could change the verbiage to “open storage of any kind,” or leave it as it was. Ms. Abrams recommended and Ms. Morris agreed that under 396.44 manufacturing industrial uses should also include prohibitions and conditions. Ms. Abrams said that entire section was about what cannot be done. Ms. Crone asked why pottery kilns were prohibited. Ms. Morris said the business committee was concerned about the amount of heat generated, particularly when the properties were close together. The commission could recommend that industry, if it chose to do so, and Town Council would decide.

Chairman Pruitt said there were already businesses on Sandy Lane that use power tools. Ms. Morris said that prohibition was just at personal storage warehouses. Chairman Pruitt said there is a woodworking shop at one warehouse that has a 20-foot rolling door. Ms. Morris said the type use he was discussion would be permitted. Chairman Pruitt said if the district was light industrial, power tools would be used occasionally.

Ms. Crone asked about mini-warehouses being used for recording studios. Ms. Johnson said that could be controlled under the noise section. Ms. Morris said recording studios would be an enforcement issue.
Ms. Abrams asked how the prohibition on odors would be measured; there was no definition, and she believed without a standard way to measure odors they should not be regulated. After discussion, Ms. Morris said she would find out how other municipalities measure odors.

2. Revisiting the Mixed Use section of the ordinance.

Ms. Morris presented the discussion paper, and said that staff would like to bring an ordinance for the planning commission to consider parking requirements, and possibly adding additional uses and conditions like upper floor residential uses, and consider setback requirements. Several members agreed to have an ordinance presented.


Ms. Morris said she was asked to bring this to the planning commission to see if there was any interest in allowing plantings in the rights-of-way. The public works director, the fire chief and the police chief oppose plantings in the rights-of-way. After a brief discussion, including that the town currently prohibits plantings in the rights-of-way, the commission declined further consideration.

4. Open Display requirements.

Ms. Morris said she was asked to present this topic to the planning commission. Currently outdoor displays and tents were allowed for no more than ten consecutive days and no more than 60 days per year. The question was whether the commission would consider allowing open displays for longer than 60 days to allow for businesses to display items on the exterior of their buildings for the summer months and shoulder season, and allow displays to remain the entire time by eliminating the ten consecutive day restriction. After discussion, Ms. Morris would bring information to the commission regarding the number permits issued and the number of businesses applying. This item will be brought for additional discussion at the next meeting.

5. Small wind energy systems.

Ms. Morris said that Ms. Crone brought this recommendation. She called North Myrtle Beach and Georgetown. Georgetown only allows small energy systems in highway commercial, light industrial and conservation preservation areas; a public hearing is required; the planning commission must approve each one; height limit is 75-feet; 30-foot maximum distance between the ground any part of the rotor blade, and there is a long list of additional requirements. North Myrtle Beach allows them in residential districts as long as they are placed in the rear of the property; setbacks have to be equal to the total height from the overhead utility lines and all property lines; a total height of 170-feet or less is allowed, and the additional requirements were general like no signage, and basic colors. North Myrtle Beach encourages small energy systems. Since speaking with them, Ms. Morris believes the commission should look into this with a strict regulation of heights. She felt more comfortable with the planning commission approving the systems on a case-by-case basis if the town adopts such an ordinance. Conway currently does not allow small energy systems, but are considering them. They would not allow any to be constructed where they could be seen from the historical district, which is the rule for cell and water towers.

Ms. Johnson said she was in Germany this past November. The Germans were moving away from windmills, because of the noise level. Now it is reported that the noise level is very, very unhealthy. Ms. Lowery said she attended a workshop about 5 years ago when she was told windmills were not allowed in residential areas, because of noise created that prevented people from sleeping. Ms. Abrams recalled a meeting several years ago during which she heard that the town’s wind situation was not worth it. Ms. Lowery recalled that she also attended that meeting. Ms. Crone said technology has advanced over the past few years. Chairman Pruitt agreed. Ms. Johnson reiterated that Germany was moving towards nuclear power because of the unhealthy noise levels.
Chairman Pruitt said the commission should encourage the use of alternative energy. The town may not have sufficient wind, but with a combination of wind, solar, and other types of technologies, a house could create its own power and be self-supporting. Advancements are made every few months. Chairman Pruitt continued saying that giving people a means to create their own energy is very important in developing the type of mindset we want in our community. He asked for more information about the noise levels, because he had not heard that was a problem. Ms. Abrams was open to additional discussion about small energy systems in general. Chairman Pruitt believed residents should be allowed to have small energy systems, and they should be regulated so that it was manageable for the town.

8. PUBLIC COMMENTS - General.

There were no public comments.

9. COMMISSION COMMENTS.

Ms. Lowery said she was glad to see so many people in the audience. Nobody ever comes to hear anything we do. We just figured nobody cared.

Mr. Lauer thanked Ms. Morris for the job she did presenting very thorough, factual and practical information in keeping with the town’s aesthetics.

Chairman Pruitt thanked the audience members for attending. He told Ms. Morris that the meeting packet this month was exceptional. Although there was a lot of business, the information was perfectly set up, which made it easy to review. Welcome to 2016. He thought it would be a good year.

10. ADJOURNMENT.

Ms. Johnson moved to adjourn at 7:12 p.m. Ms. Abrams seconded. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: February 2, 2016.

Mikey Pruitt, Chairman

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