1. CALL TO ORDER. Chairman Abrams called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Abrams, Vice Chairman Seibold, and members Gambino, Lauer, and Lowery. Members Elliott and Johnson were absent. A quorum was present. Others present: Town Clerk Herrmann and Planning Director Morris.

PLEDGE OF ALLEGIANCE. Chairman Abrams led the Pledge of Allegiance.

2. MINUTES APPROVAL. Mr. Seibold moved to approve the February 23, 2017 workshop minutes as submitted. Ms. Lowery second. All voted in favor. MOTION CARRIED. Mr. Lauer moved to approve the March 7, 2017 regular meeting minutes as submitted. Ms. Lowery second. All voted in favor. MOTION CARRIED.

3. PUBLIC COMMENTS- Agenda Items. There were no public comments on the agenda items.

4. DIRECTOR’S REPORT. Ms. Morris said the sign ordinance received first reading March 28th from Town Council. There were no comments nor changes recommended. Second reading will be at the April 11th meeting, and hopefully, will go into effect after that. We had a landscape and tree ordinance on the agenda, but it was removed because council is holding a workshop on April 18th at 5:00 p.m. in council chambers to discuss it. You’re certainly welcome to attend.

5. DISCUSSION ITEMS.

a. Article IX – Design Overlay District re-write. Ms. Morris said I called Horry County to ask for their overlay district ordinances for the town’s surrounding areas. Copies will be sent to members as soon as they are received. Tonight, I wanted to go through the changes that were made by council, as opposed to what the planning commission recommended back in 2012. Ms. Morris explained all the changes which are on file in her office.

Mr. Seibold asked if changing the tenant activated the overlay requirement. Ms. Morris said no, only if there is a change of use as defined in the building codes, i.e. a golf shop changing to an apparel shop is still a business and there are no overlay requirements.

Ms. Lowery asked why loadbearing walls were removed. Ms. Morris said the council added loadbearing walls, because they felt that if there were two existing units, and a wall had been added to separate them, the council wanted the owners to have a less restrictive way to join the units together. Taking down the nonloadbearing wall to make one unit, in the council’s opinion, wasn’t really any construction. Council believed it should be loadbearing walls only. Ms. Lowery asked if the sign section supported the proposed sign ordinance. Ms. Morris said one complements the other.

Clerk’s Note: Ms. Gambino arrived at 6:19 p.m.

Ms. Morris explained that at the last vision meeting, the majority of council brought up that they agree this ordinance that was adopted is not stringent enough. The council asked that the overlay be the next section of the zoning ordinance to be reviewed with a goal of making it somewhat similar to Horry County’s, which is a lot more stringent than ours. Tonight I wanted to show you what the changes were. By the next meeting, we should be able to start review, if that works for the commission.

Ms. Lowery said so council actually is amenable to improving the overlay code. Ms. Morris said yes. It was it was debated at the vision meeting; Ms. Herrmann was there as well. The council was discussing Highway 17 Bypass and all the businesses that are currently going there. Those businesses are required to
have overlay, and existing buildings on either side of us; Garden City is growing; the existing buildings also
have to meet certain requirements of their overlay. Council asked that we review Horry County’s code and
come up with a more acceptable ordinance that would certainly mirror or come pretty close to the county’s.
Is that correct, Ms. Herrmann? Ms. Herrmann said Ms. Morris was exactly correct. Town Council is
concerned that the town's landscape is falling way behind the county. The county has some very nice new
buildings, and is cleaning up older buildings. Obviously, the town is not requiring that.

Mr. Lauer asked if council was specific about any of the things they did not like. Ms. Morris said it
was discussed that the existing buildings certainly need to be looked at, and maybe there should be triggers
to require them, as well, to be brought up to compliance.

Chairman Abrams said well, duh! So we do want to look at existing buildings, too. On the issue
paper where you say ‘several complaints that the ordinance is too lax’ specifically that was council, right?
Ms. Morris said that was council, and also we’ve had some proposed new construction ask questions, and
we told them, yes, you have to meet the overlay, but your neighbor does not. They were pretty upset about
that. A lot of them turned away. So we don't want that to happen. Chairman Abrams said maybe now they'll
listen. Do you have any comments from the business committee at this point? Ms. Morris said no.
Chairman Abrams said I think they ought to be included at some point. Ms. Morris said I agree. I'm not sure
when the next business committee meeting is, but I can email the chairman to ask. I'll be glad to invite the
committee members to the next meeting. Chairman Abrams asked what the commission members thought
of that. The members CONCURRED to include the business committee at the next meeting.

Chairman Abrams said the members would have time to look at this information; Ms. Morris will be
emailing the members Horry County’s ordinance, which council is interested in emulating, and then at our
May meeting there will be a business item? Ms. Morris said that's up to the commission. What I’d like to do
is maybe go over Horry County's overlay ordinance at the next meeting, so the business committee can be
aware of what they're requiring, and maybe get their input as well before it's a business item. After it's a
business item, then we have a public hearing. We have 30 days to get the ordinance recommendation to
Town Council after the public hearing. Chairman Abrams said I think it would be a better idea to have
discussion, if not a workshop with the business committee. The members CONCURRED to have
discussion and/or workshop depending on other items that may come up before then.

b. Rules of Procedure (Bylaws) of the Surfside Beach Planning Commission Multiple

Items. (Board members wish to revisit this after last month's vote.) Ms. Gambino said the bylaws
state on page 4, ‘The secretary shall prepare minutes of each meeting for approval by the commission at
the next regular meeting; workshop and special meeting minutes shall be prepared as soon as practical. ’
That's what concerns me. I just think that those need to be prepared for the following meeting, as well.
Chairman Abrams said comments? Ms. Lowery agreed. Ms. Herrmann explained the reason this is the
very way that the Town Council's meeting minutes are set to be prepared. Regular meeting minutes have to
be prepared and approved before you can proceed to do business. However, workshop meetings and
special meeting minutes generally are done as soon as practical. After a lengthy discussion, the
commission members were receptive to receiving the Dragon transcription and the bylaws were not
amended.

c. Proposed ordinance to amend the Town's Code of Ordinances Sections 17-007

and 17-418. Ms. Morris said in December 2014, the planning commission recommended adding sections
to the zoning ordinance regarding yard sales. We have in the past and once again are having problems with
yard sales that are turning into commercial businesses. They’re bringing things in from other places and
dumping items on the lawns saying it’s a yard sale. We've had so many complaints and now council has
gotten so many complaints that they want us to revisit this. I pulled the minutes for the for the January 2015
meeting. I asked the councilmembers at that meeting for some suggestions as to how were going to do this,
but they had none. I hope you've all read the ordinance as we presented it to council. Ms. Morris said I will
go through what Town Council said and then through the ordinance. Chairman Abrams asked why the
ordinance did not come back to the commission. Ms. Morris said council gave us a many concerns they
had, but gave no recommendations as to how to fix the problems. Some of it is we want to get a permit to
prevent commercial business from happening in residential zones, but we don't really want to make
everyone get a yard sale permit. Well, if you don’t get a permit, we don’t know what is going on. There was
a small fee involved that council didn’t want, which is very easy to remove. They asked about the current
ordinance, but there is no current yard sale related ordinance. People can hold as many yard sale as they
wish. They said that had been an issue for over 30 years, and one member was concerned about parking
on the sides of roads, because they park everywhere. Another councilmember said the goal is to stop
people from using their yards for commercial enterprise. Section 17-418 of the proposed ordinance included
that police officers shall have the right to enter any premises, which they wanted removed, which we can
certainly do that. One member preferred allowing a yard sale once every quarter instead of limited to three
times year, which is what the ordinance recommended. Section 17-418(a) states it shall be unlawful for any
person to conduct a yard sale within the town limits without first obtaining a yard sale permit. The
councilmember understood it was a problem with dealers. The proposal places a blanket penalty on
everyone. Why would the town want to take on workload to issue permits for people cleaning out their attics
and garages? It’s also a total inconvenience for the residents. He knew staff didn’t have many extra hours,
and he supported adopting an ordinance, but questioned issuing permits. In reality, if we don’t have a
permit on file, we don’t know whether you’re commercial or residential. Especially on the weekends we get
all kinds of phone calls from residents, and emails.

Chairman Abrams said just to make a general comment at this point, looking at the big picture, we
just went through agony allowing residents to cut limbs up to a certain [size.] So we are going to say, ‘here
you go residents, now you can cut tree limbs, but you can’t have a yard sale.’ From the broader
perspective, I have a problem. Ms. Morris said when the planning commission approved this back in
December 2014, it’s not saying you cannot have a yard sale, but it limits the number held. Chairman
Abrams said it’s the permit requirement that was of concern. Ms. Morris said but if you don’t have a permit,
how do you know the resident is only doing it three times year or quarterly. Also, how would staff know
without going through town during the weekend to see if residents are doing commercial sales or cleaning
out their attics? Chairman Abrams said I’m just looking at it from the public point of view. Ms. Morris said I
agree completely, and that’s why we didn’t bring it right back to the commissions. After a lengthy
discussion, including that some neighborhoods are having regular yard sales and hauling in truckloads of
furniture and/or other products to sell, and various safety issues, the commission agreed Chairman Abrams
would draft a list of “Thou Shall Not” rules relating to yard sales that does not include a permitting process
for discussion.

d. Any other matters the board wishes to discuss. There was no other discussion.

10. PUBLIC COMMENTS - General.

Mr. Paul Holder, 15th Avenue North said I’ve lived all over the country. Homeowner
associations have rules about yard sales that state you may only sell personal items, and may only have
two or three pieces of the furniture in the yard. Chairman Abrams said that is a great suggestion. Mr.
Seibold said good point. Mr. Holder said most rules say is has to be your personal effects or group of
family’s personal effects, which gets you away from stuff coming in on trucks. I formerly worked for Procter
and Gamble, and had cases of product samples, but did not sell them at a yard sale, because they were not
personal effects. Chairman Abrams said say what’s allowed rather than what is not allowed. Mr. Holder
said yes. I am very bothered by a house on Cedar in the 500 block that is selling trucks. That has to be
looked at, too. Having used car dealers [working] at their homes has to take into account. If I had a house
next to theirs, I would be over there raising Cain with that guy, because [it affects the value of the property.]
When you’re selling multiple vehicles backed into the front yard, it’s time to do something about it. Thank
you very much. Several members expressed appreciation for Mr. Holder’s comments. Chairman Abrams
said if you have any more ideas, the commission members are private citizens, so please contact the town
clerk; she will forward the comments to the members.

Ms. Carol Holt, Yaupon Drive said that was great. That’s the thing we really need to do, is just get
ideas. We appreciate all of you for your volunteering. I know it’s a tremendous job. But, please, don’t create
another permit requirement for the town people, because of three or four complaints. Everyone gets upset
and you’re adding more work for staff, which will be more expense. Town Council is trying to reduce over
regulation in a lot of these ordinances. How will you know about these problems; it’s because other
residents complain. Address each complaint, until the word gets around. Like Chairman Abrams said if you change the ordinance and have many restrictions about what you can do, then you can enforce that by the neighbors saying well I thought so and so without having every person to get permit. On top of that, how do you know if a person is going to get a permit? There a lot of things that are in ordinances that people do without permits. So, will the enforcer ride up and down every single street like he does now looking for other things that people are doing and looking to make sure they got the permit. Please, I be you, please try to do this without a permit. I think Mr. Holder had great idea that you could do this without a permit by putting this in the ordinance. So that's probably all I have to say. I'm not a yard sale, garage sale person. I don't go to 'em. I don't have them. But if someone next door to me was causing a lot of problems... As far as the safety issue, I don't know how you could actually put that in an ordinance that would; I don't really know, but that that actually is a problem on the street. I'm sure a resident or a neighbor would call the police to say we got 50 cars over here, and someone got hit. Those are my thoughts, and what you've discussed tonight without a permit is an excellent idea. We talk about micromanagement, don't micromanage the town residents, please. Thank you.

Ms. Ruby Kreklau, South Hollywood Drive, said I don't normally speak at meetings, but I just have to say do not do another permit, because if you do, I'm gonna be in [Ms. Morris'] office applying for the job to issue them. (Laughter.) And the enforcement; I don't do garage sales, instead, I love to put my stuff across the street and watch the golf carts pull up and fight over it, and then drive around the next weekend to see it on somebody else's yard sale. (Laughter.) That's all I have.

11. COMMISSION COMMENTS.

Mr. Lauer: I have anything to add, I don't think.

Ms. Gambino: I don't have anything to add, either. I think we've discussed and I think we're going in the right direction. We need to just come up with a list that can be an ordinance and see if that won't suffice.

Ms. Lowery: I don't really have anything to add. I'm just so glad you guys are here.

Mr. Seibold: I'm good.

Chairman Abrams: And, I'm good. Thank you all. I think we've made some headway tonight, even in things we chose not to do.

12. ADJOURNMENT. Mr. Lauer moved to adjourn at 7:29 p.m. Ms. Gambino second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: May 2, 2017.

Mary Ellen Abrams, Vice Chairman

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