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 Elliott, Gambino, Johnson, Lauer, and Lowery. A quorum was present. Others present: Town Clerk Herrmann and Planning Director Morris.

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

3. AGENDA APPROVAL. Ms. Johnson moved to approve the agenda as presented. Mr. Lauer second. All voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL. Ms. Gambino said Ms. Elliott was not at the last meeting. Line 116 ‘councilmember’ was printed. I don't think that we are councilmembers. I think we’re commissioners. Chairman Abrams said she is quoting something that a councilmember said, I believe. Line 116, Ms. Morris was talking about what councilmember had to say. Ms. Gambino said excuse me, so that would also be the same I guess on Line 122, as well. Chairman Abrams said yes. Ms. Lowery said Line 173 should be ‘Please, I beg’, not ‘be.’ Ms. Johnson said she did not attend the April 4th meeting, either. Chairman Abrams said Elliott and Johnson will be shown as absent for the April 4th meeting, and Line 173 will be “Please, I beg.” Ms. Lowery moved to approve the minutes as corrected. Ms. Gambino second. All voted in favor. MOTION CARRIED.

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

6. DIRECTOR’S REPORT. Ms. Morris said the department issued 207 permits in April, including five new homes. Staff also approved one new subdivision last month. The property is located on the corner of Melody Lane and Ocean Boulevard. There was a home on that property that was moved away. They have two lots and will build two homes. As many of you know, and were at the last Town Council workshop on April 18, council reviewed the planning commission's recommendations for the landscape and tree ordinance. Council will hold the first reading of the ordinance on May 9th. Council said they would bring back the changes that they feel would be necessary for the ordinance at that time.

7. PLANNING COMMISSION DISCUSSION

1. Proposed amendment to the Zoning Ordinance specifically to Chapter 17 to include Section 17-418 to regulate the “Sale of Personal Property in Yard Areas of Residential Zoning Areas.”

Chairman Abrams said a draft of the last meeting's discussion was in the packages. Ms. Johnson said I agree that we shouldn't have to have a permit, but I think at one time it seems to me that you didn't have to have a permit, but you had call up and let town hall know that you are having a yard sale. Ms. Morris said that was proposed at one time, but it was never adopted. Ms. Johnson said well, I think that would be good for approval, then there can be a list of who have them that day. With that being said, we could limit them to three or four a year, so people don't hold them every other weekend. I cannot imagine that anyone has enough ‘stuff’ to get rid of that they would need a yard sale more than three or four times a year.

Ms. Lowery said it was pretty much covered basically [in the draft.] [My question is] what is the definition of large; bigger than a typical dining chair. Chairman Abrams said that was a ‘throw of the
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dart.’ Ms. Lowery thought that was good idea, but I don’t know that we need to give physical
measurements. The motor vehicle or boat trailers per residents; when I started thinking about motorized
vehicles being for sale, we also need to think about lawn tractors, golf carts, and kids have some toys
that are battery-operated. I don’t know whether we would need to make some sort of an exception of
the motor vehicle section. Older children moped or motorized vehicles. I would be very happy eliminating
cars, motorcycles, and lawn tractors as being something not sold at a yard sale. Chairman Abrams said
we have a town ordinance definition of motor vehicle. I would think it wouldn’t have toys in it. That
needs to be checked. Ms. Lowery said someone will always find a way around something or complain
that you didn’t include this. Staff checking on things; if we don’t have permits and staff just rides up and
down the streets on Saturdays to see who does and does not have yard sales, I think it was mentioned at
one time that they could do that and perhaps give them a day off during the week. Ms. Morris said yes.
Ms. Lowery said we need to find some way of educating people as to what’s going on. If we don’t have
permits, and we don’t have any kind of penalty or tracking system, if I’m having a yard sale and I’m not
doing things the way I am supposed to, somebody can come by and fuss at me. Ms. Morris said
remember anything in the zoning ordinance, besides a tree ordinance which has its own penalties, that’s
a violation is a misdemeanor, which is a South Carolina State Law. Ms. Lowery said that has come up
before. Parking at the yard sales would be under the police department? Ms. Morris said yes. Chairman
Abrams said parking is not our worry as it is not in the zoning ordinance. Ms. Lowery said there was
something in there that yard sales, tag sales and sales all that had to be on private property. Can there
be an exception for a private or charitable yard sale at a business? Ms. Morris said they can do that but
the business must get an open display permit. Chairman Abrams said this ordinance only addresses
residential zones. Ms. Morris said that individuals are not allowed to hold a yard sale at a commercial
location. Ms. Lowery said I really liked what that gentleman had said about personal belongings to
circumvent people bringing in large items and bulk items picked up from one place and selling in another.

Mr. Seibold said I liked what you wrote here and I think those comments have been included in
here from that gentleman at the last meeting. I was leaning toward a permit, but I will back off on that
after hearing the public comments at the last meeting. My question still remains is how do we track the
yard sales. I don't see don't see a town employee coming in to ride up and down streets on the weekend.
Ms. Morris said they actually do that now. The code enforcement officer comes in on the weekend
occasionally because so many people do repair and construction work on the weekends. Ms. Seibold said
if he is working that’s fine, but I didn’t want him to come in just to check for yard sales. I like the draft
the way it’s written. I like the public comments being incorporated. Chairman Abrams said we had some
very good ones. Mr. Seibold said the personal property is not only a yard sale, as I read this it also
pertains to having a car in a residential area. Ms. Morris said that’s correct.

Ms. Lowery said she saw where there were complaints were made about yard sales. Some
thought three or four calls were not that many. I understand councilmembers were also getting calls. Ms.
Morris said when this was presented at the last planning commission meeting, we were literally getting
12 to 14 phone calls every other day about this one area, but they have now moved. But the problem will
come up again, so we really need to address now. Council and planning staff were getting the same
phone calls about the same property.

Mr. Lauer said one of the biggest issues really is whether we have permits or not. The most
effective ordinances usually have very clear restrictions and clear penalties. They have somebody who’s
going to enforce them. Enforcing them seven days a week is optimum, but we really can’t do that. I’m
worried about getting tough on yard sales and then if we back off, as Ms. Holt said last week that the
complaints are what’s triggering this process. We need to move forward with an ordinance or let it slide
and just respond to the complaints. Or, we can go ahead and ask for permits and then you can have a
real compendium of information and we’ll know who’s been violating.

Ms. Johnson said I have lived here for 30 years and I remember the day that we had to go to
town hall; we paid five dollars for permit for yard sale, and they gave you a yard sale sign. You were
Chairman Abrams thought there was a discussion at the last meeting that we would try to give you language you needed to enforce the problem areas without building a bureaucracy around it, and if that didn't work, then we could always go back and build a permit bureaucracy. We're also concerned about staff having to track all this. I think half the problems is that they don't get a permit in the first place.

Mr. Seibold said at the last meeting I was leaning toward a permit, but there was an awful lot of objection to that. The more I thought about it over the last couple of weeks, I wonder if we really want to get into getting permits for yard sales. Once this goes into the ordinance then it's a misdemeanor. We have something to enforce. If we have complaints, we can send somebody out without additional work on you and the town, and the residents getting upset, because now we're asking them for permits. I'm kind of against it.

Ms. Johnson said I never had a problem with getting a permit back in the day. Pay five dollars to get the permit; they give you a sign. You get a permit saying you allowed to have yard sale. If we're gonna have these rules about what you can and cannot sell, that would be the time for them to be given the rules so they'll know what they can and cannot put out. Otherwise, how will they know, until they are in violation?

Ms. Lowery said they have to know that a permit is required, and at the same time we just educate the residents. These are things you can do the newsletter. Some of us get the newsletter letter on the computer. Some of us don't get the newsletter. Some people get it, but you can't force somebody to read the hard copy or read the computer; it is just a difficult thing. Maybe something on the news saying Surfside Beach has decided this. Maybe more people would see it then. A lot of it is education. These are things that are okay; these are things that are not okay. At one point, I thought a permit would have been the perfect way of educating people; they come in to get the permit and the office give them the information. But your office is already swamped. I hate the idea of adding one more thing to the work load. Ms. Morris said we will not go out and the first time we see someone in violation and write a summons. The public may or may not see the information in the media, so we always give them a few warnings; a summons is the last action. Ms. Lowery asked if the warnings are tracked. Ms. Morris said yes. Even if residents were required to call the office to let us know that would be a nice tracking device.

Chairman Abrams said that a public hearing would be held.

Mr. Seibold asked if we are going to stop at yard sales only if there are complaints or if they see they are violating the rules for some reason. Ms. Morris said if the code enforcement officer drives by a yard sale and there is no violation, there is no need to bother them at all. Mr. Seibold said that's my question. Ms. Morris said if the draft is adopted, if code enforcement drives by and there are three large vehicles, then he would stop and educate them. Mr. Seibold said okay, he did not want to hassle residents.

Ms. Lowery agreed with Mr. Seibold and said that we want the best results with the least amount of hassle for everyone. Mr. Seibold said exactly.

Ms. Gambino said I agree with Mr. Seibold. I think the least that we can trouble the residents; I'm certainly not for a permit. I think a lot of residents would be totally against that.

Chairman Abrams asked if everyone agreed on defining bulk items as more than four identical items. COMMISSION CONCURRED.

Chairman Abrams asked if anyone had a better definition of large pieces of furniture other than ‘a
Chairman Abrams asked how the commission felt about ‘merchandise must be removed from the yard space by sundown.’ **COMMISSION CONCURRED.**

Ms. Johnson said some people have yard sales that begin on Friday and end on Saturday and like to cover it and leave everything outside overnight.

Mr. Lauer thought that the proposal was to bring it inside overnight.

Ms. Lowery said time limits were discussed previously that they had to bring the items in and put back out, if it was for more than 2 days. Ms. Morris said the previous ordinance draft limited yard sales to two consecutive days. The proposed ordinance would not regulate that. Chairman Abrams said the previous ordinance draft was much more complex.

Chairman Abrams said people need this ordinance sooner than later. I would like this as a business item and have the public hearing at our next meeting with this going to council in early June. Tonight we have to agree on what it says.

Chairman Abrams asked if there was consensus to bring this draft ordinance without a permitting process for business at the June meeting. **COMMISSION CONCURRED.** Chairman Abrams asked Ms. Morris and Ms. Herrmann if there was any reason why this could not be done. Ms. Morris said no, I will go ahead and advertise it. Chairman Abrams said the draft is pretty clear what it’s to say.

**2. Design Overlay District Guidelines.**

Chairman Abrams said I would like to apologize, Mr. Truett, for the late notice of this meeting. I don’t know how we dropped the ball on that. Thank you for being here.

Ms. Morris gave a PowerPoint of the design overlay guidelines. At the budget retreat last week several councilmembers, one in particular, asked that we look at the design overlay and make it more stringent. Right now, typically a municipality’s overlay is a lot more stringent than a county overlay. In our case, we have two separate county overlay districts on either side of Surfside Beach. Both of those are much more stringent than the town’s overlay. We showed a three slide presentation to the Council. They voted to send it to the planning commission and for the planning commission to review the County's overlay and adopt it as much as possible. The county is getting a lot of new commercial businesses. It’s not just on the bypass, but getting them here on Highway 17 as well, and they are skipping our town. The two county districts are just to the north and south of the town limits. They are exactly the same except for the development requirements. I think the one that would fit best, and of course, the decision is absolutely up to the planning commission, is the South Kings Highway overlay as the design and development guidelines fit more within Surfside Beach, because it includes smaller buildings. One of the biggest differences in the county’s overlays and the town overlay is that the county’s overlay applies to existing buildings, not just new construction. Adopting a more stringent overlay would make a more harmonious design within the town; give tourist a sense of welcome, and a reason to come back; enhance the town’s appearance to residents; support and stimulate business, and promote desirability of investment in the town. Chairman Abrams noted how the county overlay applies to existing businesses, and asked what kind of timeframe is given for them to come into compliance. This is critical. Ms. Morris said yes, if they do anything between zero and 9-percent of the building value, all new exterior walls must adhere to the foundation and landscaping requirements. If they come into their building and they want to put a canopy on their building and the building is not worth a lot of value, then they will have to adjust their foundation. Chairman Abrams said it is more or less permit driven. Ms. Morris said it is based
on the percentage of the work they’re doing. Any work done in the overlay district requires a permit.

Chairman Abrams was to state how critical that was before further discussion. Ms. Morris said the overlay
would go into effect with these percentages:

- 0-9% is the foundation and landscaping
- 10% - 39% must adhere to 0-9% rule, plus their signage must be brought into compliance. The
town already has a sign ordinance. The signage in our case would be the landscaping around the
signage.
- 40% to 74% everything already stated and all existing exterior walls must adhere to as well as
complete the landscaping. They have to cover the metal between
- 75% and above everything in the overlay has to be met.

Ms. Morris said the overlay also states in the development and the design sections, the façades
have to meet three elements: color change, texture change and material model change. Basically, what
they want is the façade to be broken up. They want to look like several businesses instead of one large
box store that give the building a more attractive look. They are required to have at least one pilaster
column offset reveal within every 30 linear feet. I think it’s better than the other. The other overlay says
over hundred linear feet. We asked Publix to determine how many prototypes they had, and were told
that they have as many as needed. So in these examples, there are three different prototypes for Publix.
Someone complained about the Arby's building, because it still looks like an Arby's building even though
it’s now nail salon. We also got in touch with McDonald's, who told us they have several prototypes to
meet any overlay design. If they’re going to be in town, they will try to incorporate their design changes
around the town.

Ms. Morris showed a picture of a gas station that was previously a used car lot. It was just a flat
roofed building in the middle of the lot with cars parked all around and no landscaping at all. A developer
wanted to put a service station on the lot. The town said landscaping was required to meet the overlay
district. Of course, the developer did not want to do it at first, but he complied. There is another service
station on the other side of the street that does not have overlay requirements. The town said the station
that meets the overlay gets much more business, because landscape softens the area, and it makes it
more welcoming. Other photographs were show that included examples of Dollar General, Lowe's
Grocery, Ross and Kohl's. Pervious pavers could be required that would enhance the town’s stormwater
system. We would ask that the planning commission consider the South Kings Highway overlay zoning
district for the most part for the town. We have to go through and obviously do some changes to meet
the town's needs. I think if we should have requirements for the new development, and we have
requirements for the existing development. We've got to protect our investment, but protecting our
investment means looking at what's beside us, as well. So you have to consider all of it. We are getting a
new Highway 17 with pavers and landscape that is going to look really good. Now is the time to
incorporate the new overlay requirements.

Mr. Seibold says that everything you showed us is in effect right now in Horry County. My
concern is driving businesses away, but there is no place for them to go. I don't want to sound like a
broken record, but I don't want to burden residents or burden businesses coming in here either. I’d like
to see more businesses in town. I’ve gone through it; the overlay cost them a few thousand dollars, but it
turned out great. I was on both sides of the fence, but it came out nice and I liked the foundation. I like
the shrubbery. I like the way things look, so I’m in favor of strengthening ours. I just don't want to drive
business away, but if they have no place to go, I am in line with it. This is in effect right now. Ms. Morris
said this is in effect in Horry County right now. There are overlay districts on Highways 544, and 707. Mr.
Seibold says I know they opened the new Publix on Highway 707. Ms. Morris said I would recommend
you go see the new Publix on Highway 707. It’s unbelievable. I actually live in that area so I was curious
myself as to why Lowe's on one side of 707 has a large pylon sign and Publix has a little tiny monument
sign. I called Horry County Planning and was told it is because Publix is a special planned development
that only allows monument signs. Lowe's on the other side is in the special overlay district. The two
stores are right across the street from each other, but have different requirements. Every major corridor
in Horry County has overlay requirements and they are booming. Garden City is starting to boom,
Chicago Pizza and Mellow Mushroom are two new restaurants opening soon.

Mr. Lauer says the proof is in what you see. You drive around Surfside, we look like the orphans.

Ms. Gambino said several people commented to her that they have property in Surfside, but they
don't live here. Just being honest, they asked me what's going on. We really are rundown. I said yes; just
like Mr. Lauer said, just ride around and look.

Mr. Seibold said it is true, I agree. But it is an expense on the businesses. You think the major
corporations; but you get a small owner coming in to open a business and you throw a $5,000 or
$10,000 bill on them.

Mr. Lauer said the traffic is here. People are coming down 17. It is heavily traveled and if they
don't see something they want to pull into, they won't. My wife says if it is not an attractive building,
she's not going there.

Ms. Johnson said like Ms. Morris said when you are comparing the two that were across the
street and one had the really nice overlay and the other one did not. The one that did got a lot more
business. So maybe you do spend a little more, but then it is going to pay you back.

Mr. Lauer says that over time, but you have to be here for the long run. Ms. Morris said if you
remember when we first proposed the design overlay many years ago, it was very stringent. What the
planning commission recommended to council was a very stringent ordinance; it applied to everything. It
gave triggers as to what could and would happen once you've met those triggers. But the council ordered
it down. During that entire time the community came out and they spoke during public hearings, and
during council meetings saying this is what we want. We live here; we want to shop here, but most of
them said they don't, but they would if it was attractive.

Chairman Abrams said she would like to give our business committee the opportunity to speak.
This is supposed to be a discussion between us and them. Mr. Truett said we actually got a copy when
the overlay was first presented to council that was brought back to the business committee. One of the
concerns we had is when you ride down Highway 17 you'll see a lot of new construction that are actually
Butler buildings. They're metal buildings with brick façades on the front. Part of that overlay was going to
require siding go on the outside of the metal building, which would have voided the 30 year warranty on
those buildings. There's probably 15 or 20 of those buildings in town. If you have to put siding on a 200
foot building on two sides, your warranty goes away. I wish we had more time to have discussed the
proposal in a committee forum, but unfortunately, I just found out about this Saturday. All these look
great. I guess the concern I would have, if you do nothing to your business, does this overlay force you
to comply as far as landscaping. Because that to me is the real issue; prompting these businesses that
don't look good to improving their appearance. We can make it tougher for people coming in, the new
construction; people wanting to do 50-percent more; change of venue or change of business. But we still
have some businesses that are eyesores. How do we prompt these people to invest in the properties? A
lot of these businesses rent these properties. So it's not necessarily the business owner, it's the landlord
that doesn't live here. I think as long as he's collecting his rent every month, he is probably not gonna
spend $15,000 on new awnings, new siding, or new paint.

Chairman Abrams said we need to turn up the heat on them. These landlords are the guys that
never would've applied for one of the façade grants, either because he doesn't care. Mr. Truett said we
thought the façade grants were a great idea. There was money in the budget for $50,000. The way it
worked, you do a permit. The town would pay up to 50-percent, a maximum of $5,000. You could paint;
put up awnings, or even do landscaping. The businesses weren't educated. They did not know that these
grants were available. It just sat there and sat there; nothing happened. I talked to businesses that made
improvements and told them they should have used the grant money from the town, and they didn't
know anything about it. From the town’s perspective, we need to invest back in the community and that
was a way to do so. The business community generates 88-percent of the tax revenue in town. The
amount of $50,000, in my opinion, is a small investment over the millions of dollars that the businesses
pay. I think to generating business in town, it's not just one thing. At our last business committee
meeting, we talked about declining tax rates. What that is, if you've got a business with $4-5 million
gross revenue in Horry County, you get a 40-percent tax break. We don't have that. I think that holds us
back from being in competition with the county. I think there's a lot of little things that we should be
looking at to help promote businesses coming into town, not just one thing. Obviously, anybody who has
a business in town would love it to look like the examples Ms. Morris showed. Some of the business do,
but for the most part, we've got some eyesores. Chairman Abrams said we do, thank you.

Mr. Lauer said I have to admit I am not used to hearing businessmen saying let’s be harder on
the businesses. I kind a like that.

Chairman Abrams said in my personal preparation for this I think we did ourselves a lot of harm
when we took ‘change of tenant’ out of the code. That’s not enforcing a lot of the changes right there,
but I think personally we need to turn the heat on some of the eyesores and some of the absentee
landlords. I’d like to figure out what gets us the highest impact for the lowest cost on the business, and
what comes to mind to me is we make them paint, pave, and plant landscaping. Give them a deadline.
That stuff just can’t be all that expensive. We wouldn't have to make them change rooflines and build
parapets for maybe some period of time.

Mr. Truett said and I agree. I go back to the façade grant, I think that’s a good way to possibly
promote [improvements.] If you look, $50,000 is going to get you $100,000 worth of improvements. Five
years from now that’s a half million dollars worth of improvements on this one corridor. So, does Council
want to put that back in? I would love to see them do it. I would really love to see them make sure every
absentee owner gets a letter saying we would like for you to do this, this and this, and here’s a way for
you to recoup part of your expenditures. Chairman Abrams said and you have some provision they
cannot ignore; you have to do this one way or another, but we will help you. Mr. Truett said I mean the
façade grant wasn't just giving out a check. The business comes in; makes an application, and they had
90 days to complete the work. There was an inspection done after it was completed; all the invoices were
verified; all expenditures were verified, and then a check was sent for reimbursement. Chairman Abrams
said my impression was it was the business owners who gave [cared about their businesses] who would
apply for it in the first place. Mr. Truett said I don't think we had anybody apply. We, the business
committee, are here to help anyway we can. I am sorry it just me and Mr. Fitzmaurice here tonight.
Chairman Abrams said this is only a discussion. We’re not even in a business meeting on this and I don’t
know what the other commission members think. I think we’ve still got a lot of chewing on this to do.

Mr. Seibold said this still wouldn't attack existing businesses; it would not do anything for the
eyesores.

Chairman Abrams said I want the overlay to do something with the eyesores now. Is that a
consensus that we hit the eyesores now? COMMISSION CONCURRED.

Ms. Lowery asked if there was a legal way to do this. Ms. Morris said she would have to speak
with the town attorney. Attorneys have told us several times in the past that we do not regulate ugly.
Chairman Abrams said how about that you must come into compliance with the paint color codes or
something like that. Ms. Morris said if you do that, you will have to do it for everyone, even businesses
that just painted a neon color that looks really nice. Those businesses will have to bring it up to this code,
too. So just keep that in mind.
Chairman Abrams said how long has it been that these people are going to keep ignoring us, and when are we going to clean it up. (***) Ms. Morris said I want to make sure it is legally done. Chairman Abrams said as you can see, we have a lot more discussing to do. I think the business committee has plenty of time to discuss it.

Mr. Truett said I think our next meeting is on the 23rd. I will make sure that it is on our agenda to discuss. I will make sure everybody gets a copy of the overlays, south and north and the town’s. Chairman Abrams asked Ms. Morris if the Horry County overlay ordinances are online. Ms. Morris said they are. Mr. Truett said I will make sure I get all these and get them to the committee members. Maybe we can brainstorm a little bit, and see if we can come up with something.

Mr. Lauer said I would love to see those facade grants come back, but I don’t think it is a good time to be hustling council for money. Mr. Truett said it doesn’t hurt to ask.

Chairman Abrams said I heard a consensus that we want to find out from the lawyer if we can somehow twist the arms of the eyesores. Yes, it would impact everybody, but it’s that or do nothing. How does everybody feel about sticking ‘change of tenant’ back into the requirements? That was taken out by council. **COMMISSION CONCURRED.**

Mr. Seibold said that gives us some help where we need it to bring some eyesores back. I’ve gone through it, to change it forces that new owner, whether it’s the owner or the new tenant. Chairman Abrams said it’ll force the absentee landlord to do something. Mr. Seibold said no, actually it doesn’t. Chairman Abrams said it will trickle down. Mr. Seibold said I don’t know how it works, but I know the business I was working paid bills to landscape and bring up; the owner did not. I don’t know how that’s written or how that works with the town, but I know the company paid the bill. Ms. Morris said we don’t regulate who does it, we just tell them it has to be done.

Ms. Johnson said ultimately that would be the owner’s responsibility. Ms. Morris that is who we would contact. Chairman Abrams said we can’t stop the absentee landlord from letting it trickle down to the expense of his tenant. There’s not a thing we can do about that, but we can make the absentee landlord clean it up. Mr. Seibold said what I guess that’s probably what happened eventually, so you want to run the business you pay this bill. Ms. Johnson said then the building sits there empty for six more months waiting on another tenant.

Mr. Truett said you also have the situation in strip malls with individual owners of each unit. Trying to get everybody on board; might not have a tenant turnover for five or six years. That’s another problem. Chairman Abrams said now there are some sticky wickets in there. Mr. Seibold said I noticed there is a lot of construction going on around 16th North. It was a gas station. Ms. Morris said it is going to be a coffee shop and it will meet our overlay. Mr. Truett asked what the landscaping requirement is for a 75 foot lot. Ms. Morris said landscaping is based on the size of the lot: 10 foot of landscaping in the front; landscaping on the end of each island; no more than 10 parking spaces without an island, and then landscaping is required all the way around the parking. That is pretty much matches the county’s requirement, but the county’s overlay is a little more it stringent.

Mr. Seibold asked Mr. Truett if he saw any problem for the business community if the overlay was more stringent and it complied with the county. I’m kind of leaning to make it more stringent, but again, I don’t want to drive business away either. Mr. Truett said I think with adding back ‘change of tenant’ it is going to be a slow process, but that is part of the puzzle. If you got an ugly piece of property, and he just wants it to stay ugly, I’m not sure government can do anything. Mr. Seibold said no, I don’t think so. Mr. Truett said you need to probably entice, encourage, or possibly partner with the property owner; but as far as legislating it, I don’t think you can. If we get the ball rolling and the guy next door, sees the guy putting in landscaping and the competition down the road sees it, maybe he will start spending some money.
Ms. Johnson asked if Charleston legislated dilapidated buildings. They make them fix them up. So, there is some way to legislate that. Ms. Morris said we have a property maintenance code, which we can use if there’s violations. That may be what Charleston is using. There is also an existing building code to address the older buildings, but the town did not adopt that. The commission may want to consider that code at a future meeting. We can regulate shutters and gutters falling down now. But as far as paint peeling, or is faded, we just can’t regulate.

Mr. Truett asked Ms. Morris to provide the business committee with copies of the current and proposed overlay codes, along with a list of items that were removed from the original presentation to council.

Ms. Morris said at the budget meeting last week council [concurred] to consider adopting the overlay for the County, of course, that was subject to adjustments necessary to meet the town’s requirements. Chairman Abrams said as far as I am concerned that was the consensus of the discussion of the budget. It wasn’t any business item. Ms. Johnson said well back to Charleston, yeah they don’t allow peeling paint, they legislate that. Ms. Morris said that may be the existing building code. I’ll call them for clarification, because yes, you are right they do.

Chairman Abrams stated for review:

Turn up the heat on the eyesores now if we can along the lines of paint, paving and plants. Ms. Morris is to discuss that with the town attorney. COMMISSION CONCURRED

Business committee meeting on the 16th; will hold an in-depth full discussion on the overlay. Mr. Truett and the committee will be welcome to come back and participate in our next meeting.

Add back ‘change of tenant’ as a trigger. COMMISSION CONCURRED

Chairman Abrams asked Ms. Morris to work with the attorney to determine what the town can legally do to make these owners improve their property. I get the sense right now that as a commission we want these people cleanup at least as far as paint, landscaping, and paving. I agree that it pinches a bit. I’m sorry, you know it hasn’t happened and how many years? Maybe we just need to encourage people a little bit.

Ms. Johnson said that maybe if we adopted a new ordinance and give these eyesores 12 months to comply, but maybe give them like a little tax break or something for one year to comply. Chairman Abrams a deadline to comply on the less expensive cosmetic stuff, and asked Ms. Morris to please include the business committee as participating members of the discussion on the overlay on the next agenda.

Mr. Lauer said thank you to whoever compiled the charts for us. That took a lot of work and gave me a good starting off point.

Ms. Johnson said she noticed at Hardees they did some overlay and put some trees and pavers around the trees. There’s a lot of trash that ends up in those areas. Who is responsible for cleaning that? Ms. Morris said they are; the code enforcement officer will be sent to deal with it.

10. PUBLIC COMMENTS - General. There were no public comments.

11. COMMISSION COMMENTS.

Mr. Lauer: I don’t really have any comments. It was a productive meeting.
Ms. Gambino: Thank y'all for coming out, and we're just beginning, I hope.

Ms. Johnson: Have a good evening. God bless you.

Ms. Lowery: I don't have anything to say. That's a rare moment. Thank you guys for coming out.

Mr. Seibold: It's been a good meeting tonight. I would like to say I think this is very important for the town, and for our residents. I want to see businesses come to Surfside; not leave Surfside. I think is an important part of our job, and we should really pay close attention and do whatever we can to improve on it. Thank you.

Chairman Abrams: I agree. I feel like we got some sense of where we want to go with this tonight. I look forward to more input from the business committee and input from the attorney and Ms. Morris and any of us who had a chance to think about this a little more.

12. ADJOURNMENT. Ms. Johnson moved to adjourn at 7:08 p.m. Ms. Gambino second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

_____________________________________
Debra E. Herrmann, CMC, Town Clerk

Approved: June 6, 2017.

________________________________________
Mary Ellen Abrams, Vice Chairman

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