1. CALL TO ORDER. Chairman Hellyer called the meeting to order at 6:00 p.m. Commission members present: Chairman Hellyer, and members Brown, von Buseck, Lane-Laveglia, Pesce, Sluder, and Truett. A quorum was present. Others Present: Town Clerk Herrmann and Director Morris.

2. SWEARING IN COMMISSION MEMBERS. Members Brown, von Buseck, Lane-Laveglia, Pesce, Sluder, and Truett were charged with the oath of office, to which each agreed and signed; the oath of office is on file in the town clerk’s office.

3. PLEDGE OF ALLEGIANCE. Chairman Hellyer led the Pledge.

4. AGENDA APPROVAL. Mr Truett moved to approve the agenda as presented. Mr. Sluder second. All voted in favor. MOTION CARRIED.

5. Public Comments on Agenda Items. There were no comments.

6. Public Hearing. A. Amend the Town of Surfside Beach’s Code of Ordinances, specifically Chapter 17 to allow for a new zoning district Public Land (PL), and B. Rezoning of parcels listed below from current zoning designation to Public Land (PL):

- 811 1st Avenue North from C3 to PL
- 409 3rd Avenue South from R2 to PL
- 610 10th Avenue South from R2 to PL
- 112 13th Avenue South from R3 to PL
- 114 13th Avenue South from R3 to PL
- 600 Dogwood Drive South from R3 to PL
- 115 Highway 17 North from C3 to PL
- 617 Lakeside Drive from R3 to PL
- 11 Myrtle Drive North from R2 to PL
- 811 Pine Drive from C3 to PL
- 829 Pine Drive from C3 to PL
- 12 Pinewood Drive North from C3 to PL
- 202 Poplar Drive South from C1 to PL
- 720 Sandy Lane from C1 to PL
- 730 Sandy Lane from C1 to PL
- 740 Sandy Lane from C1 to PL
- 750 Sandy Lane from C1 to PL
- 760 Sandy Lane from C1 to PL
- 212 Surfside Drive from C3 to PL
- 400 Surfside Drive from R2 to PL
- 410 Surfside Drive from R2 to PL
- 728 Surfside Drive from R2 to PL
- 300 Willow Drive South from R2 to PL
- 310 Willow Drive South from R2 to PL
- 10 Yaupon Drive South from C4 to PL
- 16 Yaupon Drive South from C4 to PL

Ms. Morris said staff was asked to present for consideration an amendment to Chapter 17 of the town zoning code to establish a Public Land District (PL), that would include all town-owned lands, and have regulations specific to PL. The only exception to town-owned land is the Horry County Library. The county was notified, but no response has been received. The commission is to determine first whether a recommendation to establish a PL district should be made to Town Council, and then whether to recommend changing the stated properties from their respective zoning districts to PL. She said the address 412 Myrtle Drive North was corrected to 11 Myrtle Drive North (the town’s tennis courts). For notification purposes, the Property Identification Number (PIN) or Tax Map Number (TMN) was used; street addresses are not used for legal descriptions. Neighbors of each property were notified by US mail of the rezoning; addresses were obtained from the Horry County Assessor’s Office.

The PL district’s purpose is to establish and preserve the area for public use only. The ordinance must specifically state permitted uses, accessory uses, setbacks, signage, and parking requirements. This type zoning district is common in municipalities; there are five municipalities in the state that use this type district. The zoning ordinance is “permitted uses only,” so if the use is not specifically listed as a
permitted use, it is not allowed. A review of the proposed ordinance was given, a copy of which is on file. The commission may recommended changes as it deems appropriate.

Ms. Morris explained that the Surfside Pier was not included in the PL district, because it is in the most restrictive flood zone in town. The Entertainment (E) District allows a 55-foot height limit, which is needed to comply with the elevation required by FEMA.

Ms. Morris noted that the numbers “17-000” were placeholders and the correct numbers would be assigned by Municipal Code Corporation who codifies the town’s ordinances. She explained that government uses are allowed in every district, but the recommendation is to create the PL district. PL uses and accessory uses contiguous to residentially zoned properties shall be placed no closer than 75 feet from any residential property.

Chairman Hellyer asked if other than the pier, whether this list included all the public land. Ms. Morris said there are other properties to be included, and they will be presented at a future meeting. Rights-of-way and easements were not included.

Mr. von Buseck was confused about why this request for the public land zone came forward now. Ms. Morris said the town administrator noticed the town did not have that zoning, and he brought the information to her and recommended it be presented to the commission for consideration. Mr. von Buseck asked who owned the properties. Ms. Morris said the town, except for the library, which is owned by Horry County. Even though there are numerous addresses, many of the lots are combined to create one park or facility. For instance, public works is comprised of five different parcels. Mr. von Buseck asked if these properties were rezoned as PL, its zoning would apply in the future. Ms. Morris said yes.

Mr. Pesce asked if there were any changes needed to existing signage or buildings. Ms. Morris said no. She explained the sign ordinance was updated about a year ago, and no complaints have been received since its adoption.

Mr. Brown referred to page 3, maximum impervious coverage, and page 4 maximum building coverage, noting that both were “0” for PL, and asked if that related to the minimum yard setback. Ms. Morris said yes, with the exception of those listed under the conditions.

Mr. Sluder viewed some of the properties and asked whether letters were sent. Ms. Morris said copies of the letters were in the package. Mr. Sluder said he didn’t see signage on some of the properties, and asked what the plan was. Ms. Morris said each property was properly posted: 18 signs were stolen. There is a board of zoning appeals hearing coming soon, and four of those signs were taken. Staff takes photographs to document the signs were properly posted, but has no control over thefts. The notice was also published in the newspaper. Mr. Sluder said there have been some problems changing from TMS to PIN numbers, and asked Ms. Morris found any issues. Ms. Morris said no; the tennis courts do not technically have an address, the 412 number was erroneously used. She reiterated the PIN number was correct.

Ms. Lane-Laveglia noted that the letters sent had the wrong address and in her opinion, that property should be omitted and notices sent again. She explained if she lived near the tennis courts and saw 412 North Myrtle she would think it didn’t affect her. Ms. Morris said that would not be a problem.

Mr. Sluder asked what measures were being taken to ensure the right people were notified. Ms. Morris said staff has to rely on the addresses on file with the Horry County Assessor.

Chairman Hellyer said the notice invited everyone to attend the meeting, call or send an email message to Ms. Morris, and asked how many contacts she received. Ms. Morris said no calls or emails were received. There are some members of the public here tonight, but the hearing hasn’t opened.
Ms. Morris showed a PowerPoint to identify and explain the locations of properties to be rezoned under Section B of the agenda.

Chairman Hellyer opened the public hearing at 6:28 p.m. There were no comments. Chairman Hellyer closed the hearing at 6:29 p.m.

7. Business Items.

A. Recommendations to Town Council on Item 6.A. Mr. Truett moved to recommend to Town Council approval of 6.A. to establish a Public Land (PL) District. Mr. Pesce second. All voted in favor. MOTION CARRIED.

B. Recommendation to Town Council on Item 6.B. Mr. Truett moved to recommend to Town Council rezoning all of the properties listed, except 11 Myrtle Drive North which is to be advertised with the correct address, from the current zoning to PL. Ms. Lane-Laveglia second. All voted in favor. MOTION CARRIED.

8. Planning Commission and Staff Comments.

Mr. Brown believed all of the commission’s questions were answered and he supported the recommendations.

Mr. von Buseck said it was an honor to be part of the commission. Surfside Beach is an amazing family beach that is among the best along the Grand Strand for living and vacationing. As a business owner, he wanted to be part of something good in Surfside Beach. Great things are happening here.

Ms. Lane-Laveglia was glad to be part of the commission. There is a lot to learn. She was thankful that the previous commission worked so hard and she looked forward to continuing that work.

Mr. Pesce thanked the members for their hard work, and Ms. Morris for putting the package together and answering his questions. This was definitely a step in the right direction, and the commission needed to ensure it made decisions quickly and fluently, without juggling 18 different ordinances to do one easy thing. He was very happy with the meeting tonight.

Mr. Sluder agreed that the commission was taking steps in the right direction. He wanted to focus today on appreciation for the opportunity to serve on the commission along with his esteemed colleagues, and to represent the town the best that he possibly can. He looks forward to what is to come.

Mr. Truett echoed everybody’s comments. He was pleased to be part of the commission. He served on the commission in 1999; many things have changed in 20 years. Hopefully, we can ask questions and get a lot done to do what’s best for the town.

Chairman Hellyer thanked everyone for attending. We’ve got a lot of work to do. He thanked Ms. Morris for putting the meeting together and getting the information distributed so the members could make decisions. The planning commission has always done good work, and we will try to do the same.

Ms. Morris said the six hour training could be held in chambers. Class would begin at 9:00 a.m. with an hour for lunch, some breaks, and would end by 4:30 p.m. If members cannot attend training when offered in chambers, they would have to attend a session at the Waccamaw COG office in Georgetown. After a discussion, the members agreed to August 8th for training.
Ms. Morris distributed a copy of Article III of the Zoning Ordinance and said that a councilmember requested that bingo establishments be considered as a permitted use in the Highway Commercial (C1) District, which is located on Highway 17. The commission will continue reviewing the zoning ordinance, and finish review of Article III. The previous commission worked on Article III for almost a year scrutinizing every business use and reviewing ordinances from other municipalities in South Carolina. She said, and the town attorney also, the zoning ordinance is a “permissive ordinance,” meaning that what is allowed is specifically listed as a permitted use in the ordinance. If a use is not listed as a permitted use, it is not allowed. The town attorney has reviewed Article III. Anything that has retail must be allowed. The proposed ordinance includes every type business individually that would complement the Family Beach atmosphere the town strives to achieve. She asked members to review Article III for recommendations; it will be under discussion at the next meeting.

Ms. Morris said when general inquiries are made about allowable uses, they often miss exceptions and applicable standards; for example nail salons are allowed, but if the business is located in a mixed use district it must also meet that district’s standards. That information is not spelled out in the current code. Another example is that the C1 district has a special design overlay district. Staff’s goal is to have as much information as possible on one spreadsheet so those who inquire get all the information they need. This will be coming forward for the commission to consider so the ordinance is clear, simple, and anyone can understand it.

Ms. Morris said Article IV and Article V need to be reviewed; and then Article I Definitions will be reviewed once all the revisions are done. Throughout revisions to other articles definitions may be omitted or added.

Ms. Morris said planning commission members are automatically members of the American Planning Association. A copy of The Planner was distributed for their reading. Future copies will be sent via email.

9. Adjournment. Mr. Sluder moved to adjourn the meeting at 6:44 p.m. Chairman Hellyer second. MOTION CARRIED.