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3 **TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS**  
4 **November 3, 2008, 6:30 p.m.**

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6 **PLANNING & ZONING COMMISSION**  
7 **MEETING MINUTES**  
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10 **1. CALL TO ORDER**

11 Chairman Hanson called the meeting to order at 6:30 p.m. Commission Members  
12 Culbertson, Smith, Cook, Barnard, Saunders, and Seibold were present. There was a  
13 quorum. Staff present: Building/Zoning Director Donevant, Clerk Pinnell and Town  
14 Administrator Mr. Booth. There was no current business to discuss. This meeting was set  
15 up as a workshop meeting for the commission members and to introduce Mr. Tom  
16 Britton from the Waccamaw Regional Council of Governments.  
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18 **2. PLEDGE OF ALLEGIANCE**

19 Chairman Hanson led the Pledge of Allegiance.  
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21 **3. AGENDA APPROVAL**

22 Mr. Saunders made a motion to approve the agenda as submitted. Ms. Barnard seconded  
23 the motion. **All members voted in favor. MOTION CARRIED.**  
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25 **4. MINUTES APPROVAL**

26 Ms. Barnard made a motion to approve the meeting minutes from October 7<sup>th</sup>, 2008 as  
27 presented. Mr. Smith seconded the motion. **All members voted in favor. MOTION**  
28 **CARRIED.**  
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30 **5. COMMISSION WORKSHOP**

31 *a. Tom Britton from Waccamaw Regional Council of Governments (COG):* Ms.  
32 Donevant introduced Tom Britton stating that he is a planner for the Waccamaw  
33 Regional Council of Governments and he would be attending future Planning &  
34 Zoning meetings and providing technical assistance and advice to the  
35 commission.  
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37 *b. Overview of WRCOG Technical Assistance:* Mr. Britton explained that the  
38 Regional Council of Governments has entered into a technical services contract  
39 with the Town of Surfside Beach. Two of the elements in the contract primarily  
40 deal with providing daily assistance to Ms. Donevant in the Building Department  
41 on some of the issues that come up as well as providing assistance to the Planning  
42 Commission on some of the issues they would be dealing with over the next year.  
43 Mr. Britton stated that he has been working in planning for approximately 14  
44 years and has been with the COG for about a year and a half. Prior to joining the  
45 Cog he had worked extensively in Kentucky with Planning Commissions and  
46 Boards of Zoning and Appeals, primarily in the areas of training, administrative  
47 planning and zoning administration. Mr. Britton stated that one of the benefits of  
48 the COG is that there are many issues he has a lot of experience in and there are  
49 also many other very experienced individuals that could be consulted on other  
50 issues. Mr. Britton stated that he recently had a chance to visit the pier in Surfside

51 and that he was very impressed adding that he feels that this is a great asset and is  
52 something that most communities do not have.

53 c. *Training Schedule:* Mr. Britton stated that a few years ago the State General  
54 Assembly amended Chapter 29 of the State Code requiring training for all  
55 planning commissioners, board of zoning appeals members as well as  
56 architectural review members. The requirements are currently for all new  
57 members to have 6 hours of orientation training which must be taken within 365  
58 days of an appointment to the position. Members who have had orientation must  
59 then have 3 hours additional training every year by their anniversary date. Mr.  
60 Britton passed around the training schedule and encouraged new members to take  
61 the orientation training session coming up. Mr. Britton stated that he would  
62 follow up to see which new members were unable to take the orientation training  
63 and he would try to arrange another training session in Surfside. There was some  
64 discussion as to other COGS that offered orientation training.

65 d. *Project Discussion:*  
66 *Work Plan:* Mr. Britton stated that developing a work plan for the  
67 upcoming year would be discussed. The Commission could identify areas  
68 that they would like to work on and a tentative agenda could be set up. Mr.  
69 Britton handed out examples of work programs in other communities. Mr.  
70 Britton stated that the Planning Commission is responsible for a Town  
71 Comprehensive Plan, the zoning ordinance, land development and  
72 regulations for the town which include subdivision regulations and  
73 stormwater or flood damage prevention regulations; the responsibility there  
74 is to make a recommendation to council on the drafting of the amendments  
75 to these items as well as those under land development regulations and also  
76 hearing appeals of decisions made by the Administrator. The Commission  
77 could also look at special studies and projects. The way the State statutes  
78 are written, the Planning Commission has a lot of latitude in areas they can  
79 look at. A special study could include parking or inventories of town  
80 structures and facilities, pending applications of PDD's, appeals of  
81 subdivision decisions, text amendments, rezoning and referrals from town  
82 council. The State statute allows the town council to refer certain items to a  
83 Planning Commission to review. Mr. Britton stated that most commissions  
84 he has worked with have had a work plan; some detailed and some not so  
85 detailed. The work plan helps to prepare and strategize and also keeps track  
86 of the different projects; a work plan is also amendable.

87 *Comprehensive Plan:* Mr. Britton stated that this is drafted by the Planning  
88 Commission and sometimes the Planning Commission hires a planning  
89 consultant to do a lot of the writing work. Mr. Britton stated that the most  
90 important thing about the Comprehensive Plan is that in order to have  
91 zoning ordinances and land development regulations a town has to have a  
92 valid Comprehensive Plan and meet with a schedule; a lapse of review or  
93 lapse of updates could potentially invalidate any zoning ordinance in place.  
94 Mr. Britton confirmed that the next Comprehensive Plan update is due in  
95 2010 explaining that one of the changes made to the State law two years ago  
96 requires two new elements which are transportation and priority investment.  
97 The way the statute is written those two elements are required at the five  
98 year review. Mr. Britton explained that a priority investment element is

99 when you take projects that are identified in the Comprehensive Plan,  
100 primarily capital projects, and list those capital projects, rank order them  
101 and look for projected cost and a projected time frame to complete those  
102 items as well as list what the funding source would be. Mr. Britton stated  
103 that beautification or beach renourishment could be some of those items.  
104 Mr. Britton stated that since there is a 2010 time frame where there will  
105 need to be a review; the work would need to be started on this around mid  
106 2009 in order to allow time for review and council approval.

107 *Zoning Ordinances:* Mr. Britton stated that he had spoken with both Ms.  
108 Donevant and Mr. Hanson and that they were in agreement that the zoning  
109 ordinance should be included in the work plan. The zoning ordinance does  
110 require that the town has a comprehensive plan in place, especially a land  
111 use element. The land use element is a chapter of the Comprehensive Plan;  
112 there are seven elements in the Comprehensive Plan and the land use is one  
113 of these. Mr. Britton stated that the zoning ordinance is usually drafted by  
114 the Planning Commission then recommended to the town council who in  
115 turn adopts it. Mr. Britton stated that the Planning Commission should  
116 periodically review the zoning ordinance to look for problem areas, identify  
117 them and then recommend changes to the town council. Mr. Britton stated  
118 that there are two different approaches; one is the single issue amendment  
119 which is basically used when a problem with a certain provision or chapter  
120 has been identified and where a quick change could be made; the  
121 disadvantage is primarily from a perception and political standpoint that it is  
122 probably not a good idea to take a single item to the town council; if  
123 amendments are constantly being made it causes an uneasiness among  
124 citizens. The other approach is more of the comprehensive approach where  
125 the planning commission reviews the zoning ordinance chapter by chapter,  
126 getting feedback from the public on potential issues, making a list and  
127 performing a rewrite; it would be brought to council at one time and then the  
128 zoning ordinance is not revisited for another five or ten years unless  
129 something major comes up. Mr. Britton explained that the two approaches  
130 could be used simultaneously as part of the work plan where the  
131 commission is performing a comprehensive review but are identifying early,  
132 certain issues that need to be addressed or clarified. These could be taken  
133 care of upfront while in the comprehensive review process. Mr. Britton  
134 stated that he would like some input from the commission on items that need  
135 to be looked at for 2009 and then from there a draft work plan could be  
136 created for the commission to review and update. Mr. Britton summed this  
137 up by saying that a work plan should include the comprehensive plan and  
138 should include possibly look at the zoning ordinance or a special project  
139 depending on the commission's direction.

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141 Mr. Hanson stated that the zoning ordinance is approximately 50 pages long  
142 and takes about two hours to go through and added that there are  
143 discrepancies. Mr. Hanson stated that he likes the idea of reviewing the  
144 ordinance and presenting it all at one time to the council and added that it  
145 would be a massive job and would probably take about a year if it was  
146 started now.

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Mr. Booth interjected stated that council had directed him to bring ordinances one at a time and they would not accept the entire zoning ordinance at one time adding that only four ordinances at a time would be presented to council. Ms. Donevant interrupted Mr. Booth and stated that what the commission is looking at is to review it chapter by chapter and note the changes that we want to make. Mr. Booth added that the town also needs to look at costs involved; the real reason that Waccamaw was brought in was that the Comprehensive Plan is due and added that the attorney will review the ordinances; the town has passed a lot of ordinances in the past where they were not reviewed. Mr. Booth added that this will be done systematically and that council will not accept them all at once; the ordinances that need to be changed will be brought before council individually and they would be explained. Mr. Hanson asked if they could take a section at a time and Mr. Booth agreed to this. Mr. Booth stated that the council just had a workshop to discuss four ordinances that needed to be addressed. Mr. Britton stated that the commission could perform a full scoping session of the zoning ordinance and identify the passages that need to be addressed and then they could be brought to Mr. Booth to have them reviewed at some level adding that problems could arise because the zoning ordinance is interlinked; if you change section three then you are changing section five, section seven and section nine. Mr. Britton stated that at the scoping session a list could be created with items that need to be addressed and other sections impacted could be noted. Mr. Hanson stated that at the next meeting potential changes could be furnished to Ms. Donevant and Mr. Britton for review and they could then be resolved. Mr. Britton stated that this meeting would serve to establish the direction that the commission wants to take; it could be done chapter by chapter or all at once.

Ms. Barnard stated that one of the concerns they have is about the commercial, C-1 area; it needs to be defined better. Ms. Barnard stated that there are problems in both residential and commercial areas and that the commission wants to improve the ordinances dealing with setbacks. Ms. Barnard stated that last month the commission discussed using a volume type ratio rather than having the same setback for every lot. Ms. Barnard stated that there is also a problem with non-conforming lots adding that this is something the commission would like to settle. Ms. Barnard asked if the commission should just target those issues or should they look at the big picture. Mr. Britton stated that this is the commissions call; what he had talked about previously with Mr. Hanson was to do an overall scoping of the zoning ordinance and once problem areas are identified, with non-conforming lots being one of those issues, then these should be addressed immediately and be resolved; especially if the town is dealing with hardship issues. Mr. Britton stated that he could have some information available at the next meeting on non-conforming lots if so desired. Mr. Britton added that it is best to choose the best approach out of various options.

194 Mr. Smith asked what kind of contract Mr. Britton has with the town. Mr.  
195 Britton stated that they have a general services contract which runs from the  
196 middle of October 2008 through to the middle of October 2009. Mr. Britton  
197 stated that they also offer other types of contracts like technical contracts,  
198 projects specific contracts such as developing comprehensive plans or  
199 zoning ordinances. Mr. Britton added that since the contract is a general  
200 contract they could work with the town on several different issues. The  
201 current contract involves them attending all of the Planning Commission  
202 meetings and helping Ms. Donevant with issues as they come up on a daily  
203 basis. Mr. Britton stated that he would like to suggest that at the next  
204 meeting he bring back a draft of a work plan for 2009; it could be reviewed  
205 and changed and then adopted at an upcoming meeting. Mr. Britton stated  
206 that he would like some direction regarding the zoning ordinance revisions.  
207 Mr. Booth interrupted to comment that the ordinance would also need to be  
208 reviewed by an attorney; the town has previously caused some of their own  
209 non-conforming use with the setbacks placed on Business 17. Mr. Hanson  
210 stated that he feels that the entire ordinance needs to be reviewed. It was  
211 agreed that Mr. Britton would meet with Ms. Donevant and Mr. Booth and  
212 come back with a work plan schedule. Mr. Britton stated that he could go  
213 through his GIS Department and probably plug in some setbacks to  
214 determine where the majority of the setbacks are in town and get an idea of  
215 what the impact is and come up with options to correct the situation. Mr.  
216 Saunders asked if the commission would be in a position to handle the non-  
217 conforming lot issue by the next meeting and Mr. Britton answered that the  
218 commission may be in a position to determine how they want to handle it; it  
219 would then need to go through a public hearing process.

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221 Mr. Hanson stated that the process of reviewing the zoning ordinance will  
222 take a lot of work and a lot of time. Mr. Hanson suggested that if anyone on  
223 the Planning Commission has not read Chapter 17 then he would advise that  
224 they did and also advised them to go through it with a pencil or highlighter  
225 and make notes. Mr. Britton stated that he looks forward to working with  
226 the commission and added that if the commission is in need of any  
227 assistance to let the chairman know and then Mr. Britton would work on  
228 providing the information requested. Mr. Hanson stated that Mr. Britton has  
229 the tools, the means and the experience and knowledge to assist the  
230 commission in getting through the process in the correct manner.

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232 **6. PUBLIC COMMENTS**

233 There were no public comments.

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235 **7. COMMISSION COMMENTS**

236 Ms. Cook welcomed Mr. Britton adding that she feels that he will be a great asset.

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238 Ms. Barnard stated that she echoed Ms. Cook's comments and added that there had been  
239 a tremendous turnover with staff and commission members in the past five years and now  
240 feels good about having a professional planner to consult with and also feels good that  
241 the commission will be getting the legal advice that they need from an attorney.

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Mr. Seibold and Mr. Saunders stated that they look forward to working with Mr. Britton.

Mr. Hanson stated that he had sent out a letter to commission members and Ms. Donevant on *floor area ratio* and added that he has pictures that go with it. Mr. Hanson stated that this came out of the training they had with Mr. Britton and that it addresses the square footage of a house in relation to the size of the lot. If there is a lot that is 7,500 square feet and is in R-1 a 3,000 square foot home could be built; it could be a story and a half or two stories and if an individual has a bigger lot they could build a bigger home. It also depends on whether the lot is in zone R-1, R-2 or R-3. Mr. Hanson stated that he feels that it addresses what the commission has been talking about.

Mr. Hanson thanked everyone for coming.

**8. ADJOURNMENT**

There was no other business to discuss. Mr. Saunders made a motion to adjourn. Mr. Seibold seconded the motion. The meeting was adjourned at 7:10 PM

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Sharon Pinnell, Town Clerk

Approved: December 2, 2008

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Bob Hanson, Commission Member

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Connie Barnard, Commission Member

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Ron Saunders, Commission Member

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John Culbertson, Commission Member

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Carol Cook, Commission Member

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Charles Seibold, Commission Member

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Rod Smith, Commission Member

**Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting notice and the agenda were faxed and/or emailed to local media and interested parties. A complete list is on file in the clerk's office. The agenda was posted on bulletin boards outside council chambers and in the town hall reception area. Meeting notice was also posted on the town marquee.**