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

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54 permitted use, it is not allowed. A review of the proposed ordinance was given, a copy of which is on file.  
55 The commission may recommended changes as it deems appropriate.  
56

57 Ms. Morris explained that the Surfside Pier was not included in the PL district, because it is in the  
58 most restrictive flood zone in town. The Entertainment (E) District allows a 55-foot height limit, which is  
59 needed to comply with the elevation required by FEMA.  
60

61 Ms. Morris noted that the numbers "17-000" were placeholders and the correct numbers would  
62 be assigned by Municipal Code Corporation who codifies the town's ordinances. She explained that  
63 government uses are allowed in every district, but the recommendation is to create the PL district. PL  
64 uses and accessory uses contiguous to residentially zoned properties shall be placed no closer than 75  
65 feet from any residential property.  
66

67 Chairman Hellyer asked if other than the pier, whether this list included all the public land. Ms.  
68 Morris said there are other properties to be included, and they will be presented at a future meeting.  
69 Rights-of-way and easements were not included.  
70

71 Mr. von Buseck was confused about why this request for the public land zone came forward now.  
72 Ms. Morris said the town administrator noticed the town did not have that zoning, and he brought the  
73 information to her and recommended it be presented to the commission for consideration. Mr. von  
74 Buseck asked who owned the properties. Ms. Morris said the town, except for the library, which is owned  
75 by Horry County. Even though there are numerous addresses, many of the lots are combined to create  
76 one park or facility. For instance, public works is comprised of five different parcels. Mr. von Buseck  
77 asked if these properties were rezoned as PL, its zoning would apply in the future. Ms. Morris said yes.  
78

79 Mr. Pesce asked if there were any changes needed to existing signage or buildings. Ms. Morris  
80 said no. She explained the sign ordinance was updated about a year ago, and no complaints have been  
81 received since its adoption.  
82

83 Mr. Brown referred to page 3, maximum impervious coverage, and page 4 maximum building  
84 coverage, noting that both were "0" for PL, and asked if that related to the minimum yard setback. Ms.  
85 Morris said yes, with the exception of those listed under the conditions.  
86

87 Mr. Sluder viewed some of the properties and asked whether letters were sent. Ms. Morris said  
88 copies of the letters were in the package. Mr. Sluder said he didn't see signage on some of the  
89 properties, and asked what the plan was. Ms. Morris said each property was properly posted; 18 signs  
90 were stolen. There is a board of zoning appeals hearing coming soon, and four of those signs were  
91 taken. Staff takes photographs to document the signs were properly posted, but has no control over  
92 thefts. The notice was also published in the newspaper. Mr. Sluder said there have been some problems  
93 changing from TMS to PIN numbers, and asked Ms. Morris found any issues. Ms. Morris said no; the  
94 tennis courts do not technically have an address, the 412 number was erroneously used. She reiterated  
95 the PIN number was correct.  
96

97 Ms. Lane-Laveglia noted that the letters sent had the wrong address and in her opinion, that  
98 property should be omitted and notices sent again. She explained if she lived near the tennis courts and  
99 saw 412 North Myrtle she would think it didn't affect her. Ms. Morris said that would not be a problem.  
100

101 Mr. Sluder asked what measures were being taken to ensure the right people were notified. Ms.  
102 Morris said staff has to rely on the addresses on file with the Horry County Assessor.  
103

104 Chairman Hellyer said the notice invited everyone to attend the meeting, call or send an email  
105 message to Ms. Morris, and asked how many contacts she received. Ms. Morris said no calls or emails  
106 were received. There are some members of the public here tonight, but the hearing hasn't opened.

107  
108 Ms. Morris showed a PowerPoint to identify and explain the locations of properties to be rezoned  
109 under Section B of the agenda.  
110

111 Chairman Hellyer opened the public hearing at 6:28 p.m. There were no comments. Chairman  
112 Hellyer closed the hearing at 6:29 p.m.  
113

114 **7. Business Items.**  
115

116 **A. Recommendations to Town Council on Item 6.A.** Mr. Truett moved to recommend to  
117 Town Council approval of 6.A. to establish a Public Land (PL) District. Mr. Pesce second. All voted in  
118 favor. **MOTION CARRIED.**  
119

120 **B. Recommendation to Town Council on Item 6.B.** Mr. Truett moved to recommend to  
121 Town Council rezoning all of the properties listed, except 11 Myrtle Drive North which is to be advertised  
122 with the correct address, from the current zoning to PL. Ms. Lane-Laveglia second. All voted in favor.  
123 **MOTION CARRIED.**  
124

125 **8. Planning Commission and Staff Comments.**  
126

127 Mr. Brown believed all of the commission's questions were answered and he supported the  
128 recommendations.  
129

130 Mr. von Buseck said it was an honor to be part of the commission. Surfside Beach is an amazing  
131 family beach that is among the best along the Grand Strand for living and vacationing. As a business  
132 owner, he wanted to be part of something good in Surfside Beach. Great things are happening here.  
133

134 Ms. Lane-Laveglia was glad to be part of the commission. There is a lot to learn. She was  
135 thankful that the previous commission worked so hard and she looked forward to continuing that work.  
136

137 Mr. Pesce thanked the members for their hard work, and Ms. Morris for putting the package  
138 together and answering his questions. This was definitely a step in the right direction, and the  
139 commission needed to ensure it made decisions quickly and fluently, without juggling 18 different  
140 ordinances to do one easy thing. He was very happy with the meeting tonight.  
141

142 Mr. Sluder agreed that the commission was taking steps in the right direction. He wanted to  
143 focus today on appreciation for the opportunity to serve on the commission along with his esteemed  
144 colleagues, and to represent the town the best that he possibly can. He looks forward to what is to come.  
145

146 Mr. Truett echoed everybody's comments. He was pleased to be part of the commission. He  
147 served on the commission in 1999; many things have changed in 20 years. Hopefully, we can ask  
148 questions and get a lot done to do what's best for the town.  
149

150 Chairman Hellyer thanked everyone for attending. We've got a lot of work to do. He thanked Ms.  
151 Morris for putting the meeting together and getting the information distributed so the members could  
152 make decisions. The planning commission has always done good work, and we will try to do the same.  
153

154 Ms. Morris said the six hour training could be held in chambers. Class would begin at 9:00 a.m.  
155 with an hour for lunch, some breaks, and would end by 4:30 p.m. If members cannot attend training  
156 when offered in chambers, they would have to attend a session at the Waccamaw COG office in  
157 Georgetown. After a discussion, the members agreed to August 8<sup>th</sup> for training.  
158

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159 Ms. Morris distributed a copy of Article III of the Zoning Ordinance and said that a  
160 councilmember requested that bingo establishments be considered as a permitted use in the Highway  
161 Commercial (C1) District, which is located on Highway 17. The commission will continue reviewing the  
162 zoning ordinance, and finish review of Article III. The previous commission worked on Article III for  
163 almost a year scrutinizing every business use and reviewing ordinances from other municipalities in South  
164 Carolina. She said, and the town attorney also, the zoning ordinance is a "permissive ordinance,"  
165 meaning that what is allowed is specifically listed as a permitted use in the ordinance. If a use is not  
166 listed as a permitted use, it is not allowed. The town attorney has reviewed Article III. Anything that has  
167 retail must be allowed. The proposed ordinance includes every type business individually that would  
168 complement the Family Beach atmosphere the town strives to achieve. She asked members to review  
169 Article III for recommendations; it will be under discussion at the next meeting.  
170

171 Ms. Morris said when general inquiries are made about allowable uses, they often miss  
172 exceptions and applicable standards; for example nail salons are allowed, but if the business is located in  
173 a mixed use district it must also meet that district's standards. That information is not spelled out in the  
174 current code. Another example is that the C1 district has a special design overlay district. Staff's goal is to  
175 have as much information as possible on one spreadsheet so those who inquire get all the information  
176 they need. This will be coming forward for the commission to consider so the ordinance is clear, simple,  
177 and anyone can understand it.  
178

179 Ms. Morris said Article IV and Article V need to be reviewed; and then Article I Definitions will be  
180 reviewed once all the revisions are done. Throughout revisions to other articles definitions may be  
181 omitted or added.  
182

183 Ms. Morris said planning commission members are automatically members of the American  
184 Planning Association. A copy of *The Planner* was distributed for their reading. Future copies will be sent  
185 via email.  
186

187 **9. Adjournment.** Mr. Sluder moved to adjourn the meeting at 6:44 p.m. Chairman Hellyer  
188 second. **MOTION CARRIED.**  
189

190 Prepared and submitted by,

191 \_\_\_\_\_  
192 Debra E. Herrmann, CMC, Town Clerk  
193

194 Approved: August 6, 2019

195 \_\_\_\_\_  
196 Robert Hellyer, Chairman  
197

198 Clerk's Note: This document constitutes minutes of the meeting that was digitally recorded, and is not  
199 intended to be a complete transcript. Appointments to hear recordings may be made with the town  
200 clerk; a free copy of the audio will be given to you provided you bring a new, unopened flash drive. In  
201 accordance with FOIA §30-4-80(E), meeting notice and the agenda were distributed to local media and  
202 interested parties via the town's email subscription list. The agenda was posted on the entry door at  
203 Town Council Chambers. Meeting notice was also posted on the town website at [www.surfsidebeach.org](http://www.surfsidebeach.org)  
204 and on the marquee.  
205