



**SURFSIDE BEACH PLANNING & ZONING COMMISSION  
TOWN COUNCIL CHAMBERS  
JANUARY 5, 2015 ♦ 6:00 P.M.**

**1. CALL TO ORDER.**

Chairman Pruitt called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Pruitt, Vice Chairman Abrams and members Crone, Johnson, Lauer, and Lowery. Member Elliott was absent. A quorum was present. Others present: Town Clerk Herrmann and Planning Director Morris.

**2. PLEDGE OF ALLEGIANCE.**

Chairman Pruitt led the Pledge of Allegiance.

**3. AGENDA APPROVAL.**

Ms. Crone moved to approve the agenda as presented. Ms. Abrams seconded. All voted in favor. **MOTION CARRIED.**

**4. MINUTES APPROVAL.**

Mr. Lauer moved to approve the November 3, 2015 meeting minutes as submitted. Ms. Johnson seconded. All voted in favor. **MOTION CARRIED.**

**5. ELECTION OF OFFICERS.**

Ms. Johnson moved to nominate Mr. Pruitt as chairman and Ms. Abrams as vice chairman. Ms. Crone seconded. All voted in favor. **MOTION CARRIED.**

**6. BUSINESS.**

**A. Amend Article IV, Section 17.408 – Accessory Buildings and Uses in Residential Districts to allow language for non-residential accessory buildings and uses.**

**i. Public Hearing.**

Ms. Morris presented a slide presentation, a copy of which is on file in the planning, building and zoning department. She also explained the proposed changes to the ordinance. Ms. Abrams asked if nonconforming uses would be created with existing gas station canopies. Ms. Morris said no, all existing canopies meet the requirements.

Chairman Pruitt opened the public hearing at 6:12 p.m.

“Good evening. Ron Ott, 7<sup>th</sup> Avenue North. As for the structure itself, I have a, two units that were there when I moved there, and one is aluminum. It’s aluminum siding building, would that become, would (\*\*) be looking at that? It’s a metal aluminum, it’s metal. The other one’s plastic, and so I would be wondering when you say no metal, okay, so aluminum out of the question or ... you don’t have to answer any of these questions, I’m just thinking (\*\*). The other one, nonresidential, nonresidential, that’s like commercial, I guess. Chairman Pruitt said that’s correct. Mr. Ott continued saying: What usage is in there, and we have problems with that before; I’ve seen in town. But as for, how about residential with nonresidential uses in there? Do we have people, and I guess they’re allowed to have, they’re allowed to have what, machinery in there if you have a little house in the back, because well, I have machinery in mine, too. Mine are both movable, even the bigger aluminum one. It is on rails and can be moved in and out. It can be moved from where it is and it’s gonna be illegal, because it’s only three feet from the property line, and the other one’s flat. It’s light. It just holds lawn equipment and I can move that one,

58 too, by putting aluminum pipes out and rolling it along the lawn. Just things I wanted to bring up that I  
59 saw. Architectural design, you're not gonna go to Lowe's and get anything that's architectural and  
60 designed, I don't think either. I don't know if the average person had; it's what we have out there. And,  
61 there's also something that was in the ordinance for many years about green houses, and there was a limit  
62 to the amount of houses that can be out there. Some people have quite a few, and I think it was a limit of  
63 two outhouses. I call 'em outhouse, they're not outhouses. They're, you know, storage units. Chairman  
64 Pruitt said accessory buildings. Mr. Ott continued: But, there was always, no matter how many you had,  
65 you could also have a green house. So, we can add that to your thinking."  
66

67 "Yes, Mike Holt, Yaupon, now all of this, is this for just zone one, or is it for all? I'm in zone three.  
68 Chairman Pruitt said it spanned multiple districts, commercial and some residential; most changes are to  
69 residential. Mr. Holt: Okay, so then I could possibly have a garage? Chairman Pruitt said it depends on  
70 the lot size and some other factors. Mr. Holt: If you enclosed part of the, the house is up on stilts now,  
71 could I enclose part of that? Chairman Pruitt asked Mr. Holt to speak with Ms. Morris. Ms. Morris said  
72 because his house was in a flood zone, you can have one enclosure that is no more than 290 square feet.  
73 Mr. Holt: You can? Ms. Morris said yes. Mr. Holt: Okay, alright."  
74

75 Chairman Pruitt closed the public hearing at 6:17 p.m.

76  
77 **ii. Business – Motion on proposed amendment (A).**  
78

79 Mr. Lauer moved to recommend to Town Council the amendments to Article IV, Section 17.408 –  
80 Accessory Buildings and Uses in Residential Districts as presented. Ms. Lowery seconded.  
81

82 Ms. Abrams referred to Section 17-408.4 and said in an abundance of caution she would feel  
83 better if the verbiage read "nonresidential uses shall be permitted in commercial zone districts to  
84 construct ..." to prevent accidentally opening a door to nonresidential uses in residential areas. This  
85 would avoid creating a loophole. In Section (a), Item 4 shall be limited to two, and asked if "per property"  
86 should be added. Ms. Morris asked how that would affect parcels that have multiple units, like a strip  
87 mall. The way the ordinance was written, it meant two per parcel, regardless of the number of businesses.  
88 A business could always seek relief through the board of zoning appeals, if there was a hardship.  
89 Chairman Pruitt and Ms. Morris said the intent is per parcel. Ms. Abrams said if that was the intent, then  
90 leave it alone. Ms. Abrams referred to 17-408.3, number 4, and asked if "space permitting" should be  
91 added. Ms. Morris said the code already limits coverage to not more than 20-percent.  
92

93 Mr. Lauer referred to 408.2 and 408.4, paragraph 1, and suggested that prohibited uses be listed  
94 first as "expressly prohibited," so people would immediately know what was not permitted. Several  
95 members agreed. Mr. Lauer referred to subparagraph (e) exceptions, uncovered patios, etc. and asked if  
96 square footage should be included. Ms. Morris said that could be added, but the current building code is  
97 written so that if the improvement was pervious materials; lower than 18-inches high and met the  
98 setbacks, it could be built.  
99

100 Chairman Pruitt said a few minor edits for clarification were made and asked for motion to  
101 amend the ordinance as discussed. Ms. Johnson so moved. Mr. Lauer seconded. All voted in favor.

102 **MOTION CARRIED AS AMENDED.**  
103

104 **B. Amend Article III, Section 17-395 Use Table, C2 District to allow for upper story**  
105 **dwelling uses with conditions under Section 17-396.5 and add definition of upper floor**  
106 **dwelling in Section 17.007.**  
107

108 **i. Public Hearing.**  
109

110 Ms. Morris presented a slide presentation, a copy of which is on file in the planning, building and  
111 zoning department. She spoke with several municipalities that allow upstairs apartments over businesses,  
112 and every single person she spoke with had only positive comments like the upstairs apartments bring  
113 business to the downtown area and promotes walkability and growth. There were zero negative

114 comments. She also explained the proposed changes to the ordinance, noting that this only affected the  
115 C-2 district.  
116

117 Chairman Pruitt opened the public hearing at 6:29 p.m. There were no public comments.  
118 Chairman Pruitt declared the public hearing closed at 6:29 p.m.  
119

120 **ii. Business – Motion on proposed amendment (B).**  
121

122 Ms. Abrams moved to recommend to Town Council amending Section 17-395 Use Table, C-2  
123 District, to allow for upper story dwelling uses with conditions under Section 17-396.5 and add definition  
124 of upper floor dwelling in Section 17.007. Ms. Crone seconded. There was no discussion. All voted in  
125 favor. **MOTION CARRIED.**  
126

127 **7. DISCUSSION ITEMS.**  
128

129 **1. Proposed new zoning district – Light Industrial (LI) – recommended by Business**  
130 **Committee.** Ms. Morris presented the discussion paper, a copy of which is on file in the planning,  
131 building and zoning department. The proposed changes to the ordinance were outlined in detail. To  
132 establish a new zoning district, the following must be considered:  
133

- |     |   |     |                                   |
|-----|---|-----|-----------------------------------|
| 134 | • Sandy Lane is the right area to start a | 141 | • Add permitted uses to the table |
| 135 | LI district, based on the future land     | 142 | • Any conditions                  |
| 136 | use map                                   | 143 | • Parking regulations             |
| 137 | • Dimensional standards                   | 144 | • New definitions                 |
| 138 | • Intent for use permitted                | 145 | • Sign regulations                |
| 139 | • Setbacks                                | 146 | • Landscape requirements          |
| 140 | • Height limitations                      |     |                                   |

147 Ms. Morris said the business committee was very good to work with. The members knew that  
148 these various items would have to be addressed. The business committee did a really good job. LI was  
149 added under Section 17-303. Setbacks mirror the commercial district. All lots on Sandy Lane are at least  
150 10,000 square feet, so that requirement would not create any nonconforming lots. Side setbacks are 20-  
151 feet to allow the fire apparatus to navigate all the way around the building.  
152  
153

154 Ms. Abrams believed the ordinance should simply state “outside storage prohibited,” without any  
155 examples. Mr. Lauer thought the examples should be included. Chairman Pruitt said cars were stored on  
156 Sandy Lane. Ms. Morris said that particular property was not in the town. Ms. Morris said the  
157 commission could change the verbiage to “open storage of any kind,” or leave it as it was. Ms. Abrams  
158 recommended and Ms. Morris agreed that under 396.44 manufacturing industrial uses should also  
159 include prohibitions and conditions. Ms. Abrams said that entire section was about what cannot be done.  
160 Ms. Crone asked why pottery kilns were prohibited. Ms. Morris said the business committee was  
161 concerned about the amount of heat generated, particularly when the properties were close together. The  
162 commission could recommend that industry, if it chose to do so, and Town Council would decide.  
163

164 Chairman Pruitt said there were already businesses on Sandy Lane that use power tools. Ms.  
165 Morris said that prohibition was just at personal storage warehouses. Chairman Pruitt said there is  
166 woodworking shop at one warehouse that has a 20-foot rolling door. Ms. Morris said the type use he was  
167 discussion would be permitted. Chairman Pruitt said if the district was light industrial, power tools would  
168 be used occasionally.  
169

170 Ms. Crone asked about mini-warehouses being used for recording studios. Ms. Johnson said that  
171 could be controlled under the noise section. Ms. Morris said recording studios would be an enforcement  
172 issue.  
173

174 Ms. Abrams asked how the prohibition on odors would be measured; there was no definition, and  
175 she believed without a standard way to measure odors they should not be regulated. After discussion, Ms.  
176 Morris said she would find out how other municipalities measure odors.

177  
178 **2. Revisiting the Mixed Use section of the ordinance.**  
179

180 Ms. Morris presented the discussion paper, and said that staff would like to bring an ordinance  
181 for the planning commission to consider parking requirements, and possibly adding additional uses and  
182 conditions like upper floor residential uses, and consider setback requirements. Several members agreed  
183 to have an ordinance presented.

184  
185 **3. Plantings in Rights-of-way.**  
186

187 Ms. Morris said she was asked to bring this to the planning commission to see if there was any  
188 interest in allowing plantings in the rights-of-way. The public works director, the fire chief and the police  
189 chief oppose plantings in the rights-of-way. After a brief discussion, including that the town currently  
190 prohibits plantings in the rights-of-way, the commission declined further consideration.

191  
192 **4. Open Display requirements.**  
193

194 Ms. Morris said she was asked to present this topic to the planning commission. Currently  
195 outdoor displays and tents were allowed for no more than ten consecutive days and no more than 60  
196 days per year. The question was whether the commission would consider allowing open displays for  
197 longer than 60 days to allow for businesses to display items on the exterior of their buildings for the  
198 summer months and shoulder season, and allow displays to remain the entire time by eliminating the ten  
199 consecutive day restriction. After discussion, Ms. Morris would bring information to the commission  
200 regarding the number permits issued and the number of businesses applying. This item will be brought  
201 for additional discussion at the next meeting.

202  
203 **5. Small wind energy systems.**  
204

205 Ms. Morris said that Ms. Crone brought this recommendation. She called North Myrtle Beach  
206 and Georgetown. Georgetown only allows small energy systems in highway commercial, light industrial  
207 and conservation preservation areas; a public hearing is required; the planning commission must approve  
208 each one; height limit is 75-feet; 30-foot maximum distance between the ground and any part of the rotor  
209 blade, and there is a long list of additional requirements. North Myrtle Beach allows them in residential  
210 districts as long as they are placed in the rear of the property; setbacks have to be equal to the total height  
211 from the overhead utility lines and all property lines; a total height of 170-feet or less is allowed, and the  
212 additional requirements were general like no signage, and basic colors. North Myrtle Beach encourages  
213 small energy systems. Since speaking with them, Ms. Morris believes the commission should look into  
214 this with a strict regulation of heights. She felt more comfortable with the planning commission  
215 approving the systems on a case-by-case basis if the town adopts such an ordinance. Conway currently  
216 does not allow small energy systems, but are considering them. They would not allow any to be  
217 constructed where they could be seen from the historical district, which is the rule for cell and water  
218 towers.

219  
220 Ms. Johnson said she was in Germany this past November. The Germans were moving away from  
221 windmills, because of the noise level. Now it is reported that the noise level is very, very unhealthy. Ms.  
222 Lowery said she attended a workshop about 5 years ago when she was told windmills were not allowed in  
223 residential areas, because of noise created that prevented people from sleeping. Ms. Abrams recalled a  
224 meeting several years ago during which she heard that the town's wind situation was not worth it. Ms.  
225 Lowery recalled that she also attended that meeting. Ms. Crone said technology has advanced over the  
226 past few years. Chairman Pruitt agreed. Ms. Johnson reiterated that Germany was moving towards  
227 nuclear power because of the unhealthy noise levels.  
228

229 Chairman Pruitt said the commission should encourage the use of alternative energy. The town  
230 may not have sufficient wind, but with a combination of wind, solar, and other types of technologies, a  
231 house could create its own power and be self-supporting. Advancements are made every few months.  
232 Chairman Pruitt continued saying that giving people a means to create their own energy is very important  
233 in developing the type of mindset we want in our community. He asked for more information about the  
234 noise levels, because he had not heard that was a problem. Ms. Abrams was open to additional discussion  
235 about small energy systems in general. Chairman Pruitt believed residents should be allowed to have  
236 small energy systems, and they should be regulated so that it was manageable for the town.  
237

238 **8. PUBLIC COMMENTS - General.**

239 There were no public comments.  
240

241 **9. COMMISSION COMMENTS.**

242 Ms. Lowery said she was glad to see so many people in the audience. Nobody ever comes to hear  
243 anything we do. We just figured nobody cared.  
244

245 Mr. Lauer thanked Ms. Morris for the job she did presenting very thorough, factual and practical  
246 information in keeping with the town's aesthetics.  
247

248 Chairman Pruitt thanked the audience members for attending. He told Ms. Morris that the  
249 meeting packet this month was exceptional. Although there was a lot of business, the information was  
250 perfectly set up, which made it easy to review. Welcome to 2016. He thought it would be a good year.  
251

252 **10. ADJOURNMENT.**

253 Ms. Johnson moved to adjourn at 7:12 p.m. Ms. Abrams seconded. All voted in favor. **MOTION**  
254 **CARRIED.**

255 Prepared and submitted by,  
256

257 \_\_\_\_\_  
258 Debra E. Herrmann, CMC, Town Clerk  
259

260 Approved: February 2, 2016.  
261

262 \_\_\_\_\_  
263 Mikey Pruitt, Chairman  
264

265 Clerk's Note: This document constitutes action minutes of the meeting that was digitally recorded, and  
266 not intended to be a complete transcript. Appointments to hear recordings may be made with the town  
267 clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance with  
268 FOIA, meeting notice and the agenda were distributed to local media and interested parties via the town's  
269 email subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting  
270 notice was also posted on the Town marquee.  
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