

PLANNING COMMISSION MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

APRIL 22, 2008 - 7:00 P.M. – Council Chambers - Town Hall

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Possible Adoption of March 25, 2008 Minutes
2. Parking Recommendations to Zoning Ordinance
3. Subdivision Ordinance
4. Complementary Therapy
 - Continue discussion from last month
5. Planning Director's Update
 - CPEAV Training
 - 2007 Virginia Outdoors Plan
6. Commission Members Announcements or Comments
(Note: Roberts Rules do not allow for discussion under comment period)

ADJOURN:

Town of Chincoteague Planning Commission Meeting

March 25, 2008

Minutes

Members Present:

Mr. Robert Behr
Mr. Ray Rosenberger, Chairman
Mr. Tripp Muth

Mr. Chuck Ward
Mrs. Mollie Cherrix
Hon. Ellen W. Richardson

Members Absent:

Mrs. Jane Wolffe

Staff Present:

Mr. Jared Anderson, Director of Planning
Mr. Robert Ritter, Town Manager

1. Call to Order

Chairman Rosenberger called the meeting to order at 7:02 p.m.

2. Roll Call by Mr. Anderson

3. Invocation followed by Pledge of Allegiance

4. Public Participation

NONE

5. Adoption of Agenda

There was a motion by Mr. Ward, seconded by Councilwoman Richardson **“to adopt the agenda as presented.”** Unanimously approved.

6. New Commissioner Welcome

Chairman Rosenberger offered a welcome to new Planning Commissioner Mr. Tripp Muth.

7. Adoption of the February 26, 2008 Minutes

There was a motion by Mr. Behr, seconded by Mrs. Cherrix **“to approve the minutes as presented.”** Unanimously approved.

8. Public Hearing- Parking Recommendations to Zoning Ordinance
Chairman Rosenberger opened the floor up for public comments:

Mr. Fred Obrecht, represented Sunset Bay Condominiums and came to the Planning Commission meeting to contest the interpretation of the Transient Occupancy parking regulations. Mr. Obrecht indicated that as the requirement is currently interpreted, Sunset Bay needed to have 213 spaces; however, if the requirement was interpreted by rounding up after multiplication, the number of parking spaces for the same project would be reduced to only 171 spaces.

Mr. Obrecht also had concerns about marina parking. He handed out a sheet that indicated what marina parking was required in other jurisdictions. He indicated that most municipalities require .5 parking spaces for each boat slip.

He reiterated that the likelihood of each unit being filled with people that have or are bringing three vehicles for a two bedroom condominium/vacation rental is not very high. His company has invested \$50 Million in this project and would like to add landscaping to increase its appeal.

Ms. Shawn Jennings who is an Island resident is also concerned with the 1.2 parking space requirement. She is concerned with the message it might send to people, if large developments had less stringent parking requirements than smaller sized developments. She thought there should be one set of rules across the board.

Mayor Tarr indicated that one parking space per bedroom seems to be the norm. The Mayor also has concerns with the marina parking requirement, it might be too stringent.

Mr. Ward asked Mr. Obrecht what the difference would be if the rounding up after multiplication method was applied to Sunset Bay, Mr. Obrecht indicated that there would be a reduction of over 40 parking spaces. Mr. Rosenberger asked Mr. Obrecht how many of the units had been sold, he answered that 40 of 65 had been sold; of those he estimated that 40% were vacation rentals. Mr. Rosenberger indicated that nothing in the Town's zoning required green space, what is to say that developers if given a reduction in parking spaces would not develop more.

Mayor Tarr had concerns with controlling density with parking.

Mr. Anderson indicated that some jurisdictions use an Open Space requirement, such as 30% of a lot must be left as open space. Other municipalities use Floor Area Ratio (FAR) to limit the amount of floor area on a given parcel; both of these are used to address density concerns.

Mr. Rosenberger closed the public participation portion for this issue and opened it up for Commissioners comments.

Mr. Rosenberger is concerned that with reducing the amount of parking there would possibly be more parking on the street.

Mr. Ward questioned if there were no boat ramp what would the need be for boat trailer parking spaces. He also indicated that on 6.6.15. the surface composition of a parking bay requires the accessway to be the same surface composition as the parking bay which does not allow the accessway to be a Best Management Practice. He suggested that the Town implement a mandatory percentage of pervious surface for any parcel.

Mr. Rosenberger had concerns about Best Management Practices because it seemed vague and asked if there are any reference points. Mr. Anderson indicated that there are no national standards for BMPs that he is aware of. The idea is that people be innovative and come up with their own unique BMPs that fit each situation.

Mr. Rosenberger is concerned that for the requirement for Doctors and Dentists, they may have six employees but only three are working at a time so it might need to be addressed differently.

Mr. Ward is hoping to get away from the .2 for transient occupancy and have a whole number and since he thinks 2 is too high it should probably be 1 space per sleeping unit.

Mr. Rosenberger indicated that a Condominium development can put a restriction on having boat trailers on the property, but where do individuals put the boat trailers, they might put them on the street, and does the Town want Main Street lined with boat trailers?

Mr. Behr made a motion “**for the Planning Commission to take more time to look at the parking recommendations.**” Seconded by Mr. Ward. Unanimously Approved.

9. Review of Complementary Therapy

A Collection of uses termed “Complementary Therapy” was brought before the Planning Commissioners. The issue was whether the planning commission would have liked to recommend to the Ordinance Committee the inclusion of “Complementary Therapy” in Chapter 18 of the Town Code as an identified business type.

Mr. Ward indicated that many massage therapists perform Reiki. The way he understood Reiki is that it was similar to a massage; however he was not too familiar with Reiki. A Massage Therapist per the Town Code is considered a Professional and allowed to practice wherever professional offices are permitted by right.

It was decided that the planning commission think about the uses presented and come back later and decide whether they want to recommend to the ordinance committee.

10. Moving Billboards

This issue was brought up at the last Council Workshop on Signs. The Planning Commission was asked to look at the issue and bring back recommendations to Council. Virginia Beach is currently in conflict with a company that operates these billboards. Virginia Beach has an

ordinance that would prohibit Moving Billboards but there is some question about the constitutionality of this ordinance.

The purpose of these vehicles is primarily for advertisement rather than a courier service or another type of service.

Mrs. Cherrix indicated that these signs are somewhat different than scrolling signs because they change intermittently, not constantly. The major concerns for Mr. Behr are safety on the roads and the distraction these vehicles might cause, Mr. Rosenberger has aesthetic concerns.

Mr. Ward recommended that Mr. Anderson contact the Fish & Wildlife Service to see if there is anything they would do if one of these signs was driving up and down the beach during the summer months.

Mr. Anderson believed that mobile signs would fall under the Zoning Ordinance and is in the realm of the Planning Commission. It was recommended by the Planning Commission that Mr. Anderson come back with some suggestions.

11. Planning Directors Update

- Mr. Anderson indicated that there are many upcoming events in the Community such as the Parade the Saturday before Memorial Day. There will also be an Earth Day event on April 19th at the Downtown Park. In June there will be a Water Heritage Festival.
- The 100th Year Anniversary was a huge success; it showed the great deal of community pride there is on the Island.
- Major/ Minor Subdivision issue is still being worked on because it has far reaching implications.
- The Board of Zoning Appeals did not have a meeting this month but they will hear an application for a setback variance in April.

12. Commission Members Announcements or Comments

- Mr. Behr would like to welcome Mr. Muth to the Planning Commission.
- Mr. Rosenberger would like to congratulate the Town on the very successful 100th Anniversary kick-off event March 13th. He also wondered if the Town has a build-out analysis the Planning Commission could review.

There was a motion by Councilwoman Richardson and a second by Mr. Ward to adjourn the meeting. The motion was unanimously approved.

Minutes Approved

Mr. Raymond R. Rosenberger Sr., Chairman

MEMORANDUM

To: Planning Commission
From: Jared B. Anderson, Town Planner
Date: February 19, 2008 [amended April 17, 2008]
Subject: Zoning Ordinance-Parking

Last Month the Planning Commission held a public hearing on possible amendments to the Parking section of the Zoning Ordinance. From the minutes provided we can see there are a few points of concern. The parking amount for the transient occupancy seems to be the most contentious. After talking with some of the Planning Commissioners it was suggested that I give the commission options that are not more restrictive than what was heard at the public hearing. The options will be in red ink.

****Any changes made after the March 25, 2008 meeting underlined and italicized****

Section A. Commercial District C-1

4.2.4.1. Parking Garages and other similar structures

Section B. Commercial District C-2

4.5.4.1. Parking Garages and other similar structures

Section C. Parking

Sec. 6.6 Parking

There shall be provided, at the time of erection of any main building or dwelling unit, or at the time any main building is enlarged, or the available customer floor space in a business structure is increased, minimum off-street parking space (ten feet in width and 20 feet in length) with adequate provisions for entrance and exit by standard sized automobiles as required by the Virginia Department of Transportation.

6.6.1. Definitions

(a) Accessible Parking stalls- parking required for persons with disabilities.

(b) Accessway- a private vehicular facility for Townhouse, Multifamily, Condominium, and Commercial developments that extend from the curb-line-extended of a public or private road to the parking bay.

(c) Aisles. Areas used for vehicular traffic in parking areas for ingress and egress of parking bays and parking spaces.

(d) Best Management Practice- are a series of approaches to development and site design that aim to minimize stormwater impacts. For the purposes of this ordinance a Best Management Practice will apply only to the surface of the parking bay and will be shown to reduce the amount of impervious surface.

(e) Compact Car Parking Space. An off-street space available for parking of (1) one motor vehicle and having an area not less than eight (8) feet in width by sixteen (16) feet in depth.

(f) Entrances- The area used for ingress/egress for an accessway or parking bay to a public or private road. Must meet the Virginia Department of Transportation's "Minimum Standards of Entrances to State Highways."

(g) Fire Safety. To assure that fire safety and emergency vehicles can adequately service the needs of people and structures associated with parking areas and parking bays, an Emergency Lane(s) shall be established that provides vehicle access to at least 100 feet of three (3) sides of any structure(s) with a lane width of 18 feet.

(h) Parking bay. Means an off-street facility for parking two or more vehicles which are served by an entrance and possibly an accessway connecting the parking bay and a public or private road. This shall not include parking for single family residential uses.

Parking Bays will be required to have safe pedestrian traffic capability by providing sidewalks or defined safe walkways that provide access to the structures served by these lots.

(i) Parking Space. An off-street space available for parking of (1) one motor vehicle and having an area not less than 9 (10) feet by 18 (20) feet and an area of 10 feet by 30 feet for boat trailers exclusive of passageways and driveways appurtenant thereto, and having direct access to a street , or road.

~~6.6.1.~~ **6.6.2** If a lot is utilized for amusement or recreational rental purposes the following regulation shall apply: one space per four persons rated capacity.

- (1) Miniature golf course: one space per hole.

~~6.6.1.~~ **6.6.3.** If a lot is utilized for use group R-residential (see ~~BOCA code, section 301~~ **Virginia Uniform Statewide Building Code, as amended**) there shall be off-street parking space provided for the parking of at least two motor vehicles for each dwelling unit.

~~6.6.3.~~ **6.6.4.** If a lot is utilized for use group A-assembly (including churches) there shall be provided at least one off-street parking space for every five potential occupants, as defined by Virginia Uniform Statewide Building Code, in the main structure's assembly or auditorium area. (Excluding libraries and museums.)

~~6.6.4.~~ **6.6.5.** If a lot is utilized for a medical or dental clinic, ~~there shall be provided at least five off-street parking spaces for each doctor or dentist.~~ **Four Three spaces per examination or treatment room, plus one space for each doctor and employee that work during typical workshift.**

OR

1 space shall be provided for every 200 square feet of floor area.

Please see attached Memorandum for Transient Occupancy Parking

~~6.6.5.~~ **6.6.6** If the utilization of a lot requires the payment of transient occupancy tax, then shall be provided 1.2 parking space for each sleeping unit. There are two ways of interpretation.

If the utilization of a lot requires the payment of the transient occupancy tax, every Single Family, Duplex, Multifamily, Townhouse, or Condominium development where there are less than ten (10) units serviced by a parking area shall multiply the number of sleeping units by 1.2. If a fractional number occurs the number will be rounded up to the nearest whole number. This number will then be multiplied by the total number of sleeping units the parking lot is servicing.

Example: There is an 8-3Bedroom Townhouse Complex. $3 \times 1.2 = 3.6$ [round up to 4.0] $4 \times 8 = 32$ spaces required for that parking lot.

If the utilization of a lot requires the payment of the transient occupancy tax, every Multifamily, Townhouse, or Condominium development where there are 10 or more units serviced by a parking area shall multiply the number of sleeping units by 1.2. This number will be multiplied by the total number of sleeping units the parking lot is servicing.

Example: There is a 30-3Bedroom Townhouse Complex. $3 \times 1.2 = 3.6$, $30 \times 3.6 = 108$ spaces required for that parking lot.

Using this calculation method each unit within the development the parking area is servicing will meet the required amount of parking spaces in order to have a vacation rental.

OR

If the utilization of a lot requires the payment of the transient occupancy tax each Multifamily, Townhouse, or Condominium development where there are 10 or more units serviced by a parking area shall multiply the number of sleeping units by 1.2. If a fractional number occurs the number will be rounded up. This number will then be multiplied by the total number of sleeping units the parking lot is servicing.

Example: There is a 20-2 Bedroom Multifamily Complex. $2 \times 1.2 = 2.2$ [round up to 3.0] $3 \times 20 = 60$.

Now Calculate the amount of parking that will be required if this complex will not be utilizing transient occupancy. $20 \times 2 = 40$.

Average these two calculations $60 + 40 = 100 / 2 = 50$ spaces required.

~~6.6.6.~~ **6.6.7.** If a lot is utilized for a hospital, nursing home or similar facilities, there shall be provided at least one off-street parking space for each two beds' capacity, including infants' cribs and children's beds.

~~6.6.7.~~ **6.6.8.** For marinas and other similar facilities, **except as expressly provided herein**, whether any main building is erected or enlarged or not, there shall be provided at least **(1)** parking space for each slip or mooring, plus ten **(10)** parking spaces for each single-width boat ramp, with each space ten feet **(10ft)** in width by forty-five **(45 ft)** in length plus the parking spaces required by Section C, as applicable, if there are buildings. **Any private non-commercial marina located on the same parcel of land, used in conjunction with the main use on such parcel and the use of which is restricted to the owner (s) or occupant(s) with or without compensation, shall require one additional parking space in excess of the number required for the main structure or use."**

~~6.6.8.~~ **6.6.9.** (No change except number)

~~6.6.9.~~ **6.6.10.** " "

~~6.6.10.~~ **6.6.11** " "

~~6.6.11.~~ **6.6.12.** " "

~~6.6.12.~~ **6.6.13.** " "

~~6.6.13.~~ **6.6.14.** " "

6.6.15. An Accessway shall extend from the curb line extended of a public or private road to the parking bay. Accessways shall be clearly distinguishable from the parking bay. An accessway shall not be used as a through street and it shall carry predominantly on-site traffic. Surface composition of accessway will be same as parking bay. There shall be no parking on an accessway. An accessway will be no longer than 200 feet from curb line extended of a public or private road to parking bay. The accessway will have a minimum width of 22 feet with the entrance a required 24 foot minimum width as required by the Virginia Department of Transportation’s “Minimum Standards of Entrances to State Highways.”

6.6.16. Compact Car Parking Spaces- if 20 or more parking stalls are required for a parking bay, 20 (10) percent of those spaces may be designated for Compact Car Spaces. Each Compact Car Space shall be marked as “Compact Car Parking.”

6.6.17. Entrances to Accessways and Parking Bays must be built to “Minimum Standards of Entrances to State Highways” VDOT specifications whether connecting to a public or private road. Entrance permits?

6.6.18. Parking Bays shall have aisles that are 22 feet or more in width.

6.6.19. A best management practice for parking must be approved by a certified engineer as a structurally sound and effective practice that reduces stormwater run-off and the amount of impervious surface of the parking bay. A Best Management Practice may be utilized when Section C. of the Zoning Ordinance requires 20 or more stalls for a parking bay, or for any non-required parking stalls. The Best Management Practice for parking may be utilized for 35% of required parking stalls and 100% of non-required parking stalls. Stalls utilizing a best management practice must adhere to proper stall dimensions either for standard, or if applicable compact parking stalls. Any Best Management Practice for parking shall be designed so as not to create or increase adverse effects on adjoining properties as a result of surface drainage.

6.6.20. Accessible Parking stalls must conform to current regulations of Virginia Uniform Statewide Building Code, and any subsequent amendments to those regulations.

MEMORANDUM

To: Planning Commission
From: Jared B. Anderson, Town Planner
Date: April 17, 2008
Subject: Zoning Ordinance-Transient Occupancy Parking- Open Space Requirement

This memo will try to identify what the different concerns are for parking for transient occupancy.

From my understanding the reason why the .2 was added for transient occupancy parking was to address the concerns about the profuse number of cars parking at vacation rentals, especially single-family dwellings that are used as vacation rentals. In fact, for smaller vacation rental units the current requirements typically only amount in one or possibly two additional spaces. However, where there are larger developments the 1.2 space/per sleeping unit when looked at cumulatively adds many more parking stalls and aisle ways. Staff's recommendations were to basically say that the 1.2 was acceptable for the smaller vacation units because it only added one or two spots that may be necessary, however with larger developments the need may not be justified. A concern as raised by one citizen is that it is unfair to place one set of rules for larger developments than the smaller developments.

There are no national standards for parking, or more specifically no standard for how many spaces a particular use needs. With that being said most municipalities have roughly similar parking regulations. As said before we need to find what works for Chincoteague.

Several different options for transient occupancy parking have been discussed thus far:

- 1) Do not amend current language, interpret how it is currently being interpreted.
- 2) Do not amend current language, different interpretation- multiply before rounding up.
- 3) How it is in staff's recommendation (Memorandum originally dated February 19, 2008)
- 4) One parking space per sleeping unit.

Using a specific example of a 75 unit-3Bedroom development we can see how the different options affect the parking requirements:

- 1) $3 \times 1.2 = 3.6$ (round up to 4.0) 4.0×75 units = **300 spaces needed**
- 2) $3 \times 1.2 = 3.6$, $3.6 \times 75 =$ **270 spaces needed**
- 3) Because this particular development has 10 or more units the calculation would either be 270 spaces using the first interpretation for 10 or more units $3 \times 1.2 = 3.6$, $75 \times 3.6 =$ **270 spaces needed**

Or

225 spaces which would be derived from the second option for 10 or more units. $75 \times 2 = 150$ (the number of spaces required if not using transient occupancy) + $(75 \times 4.0$ (number of sleeping units rounded up) = 300), $150 + 300 = 450$ (then divide by 2) $450/2 =$ **225 spaces needed**

- 4) $75 \times 3 =$ **225 spaces needed**

If every unit in that development was utilizing transient occupancy and if they were all being rented at the same time, and if every family or families that were renting a unit brought down one vehicle for every bedroom they would need 225 spaces. As we currently interpret our code the development would need an additional 75 spaces.

Open Space Requirement

The idea of an open space requirement was discussed at the last planning commission meeting. If it is decided that current height and setback requirements do not provide enough density control, the Town could implement an open space requirement that would require a development to leave a certain percentage of the lot open or free of impervious surfaces. I have observed open space requirements as little as 10% and upwards of 50% of a lot that must remain open. If the Town were to implement such requirement I would suggest on the lower end of this spectrum due to the already dense nature of the island.

While it might be advantageous to work on an open space requirement concurrently with the parking ordinances, an open space requirement should not be included in the parking section of the zoning ordinance. If it is the pleasure of the Planning Commission Staff can provide recommendations for an Open Space requirement separate of the Town's parking ordinance.

MEMORANDUM

To: Planning Commission
From: Jared B. Anderson, Town Planner
Date: April 14, 2008
Subject: Subdivision Ordinance-Possible Amendments

Please review and if you have any questions please feel free to contact me (email: jared@chincoteague-va.gov, or 336-6519).

The last time the Planning Commission discussed the Subdivision Ordinance was during the January 2008 Planning Commission Meeting. Staff's main concern was that there was some division of land that was not being done in accordance with the Town Code. As the Subdivision Ordinance is now written many divisions of land do not need to be reviewed by the Town. Another of staff's concern was that each entity (e.g. zoning administrator, roads engineer, etc.) that needs to review a plat actually signs off on a subdivision plat before it is recorded. Section 3 of the Subdivision Ordinance states:

The clerk of the court, in accordance with Code of Virginia § 15.2-2254(5), shall not file or record a plat of a subdivision until such plat has been approved as required herein.

It is suggested that an administrative in-house review be completed for smaller subdivisions (≤ 4 lots created) while the larger subdivisions (5+ lots created) receive not only an in-house administrative review but also review by the planning commission.

The in-house review should be completed by the zoning administrator, director of planning, and public works director. Each subdivision plat's title block must have a line for each of the persons that need to review the plat. The in-house administrative review process should be a minimal cost to the developer, and have a quick turnaround process.

The table below shows what is currently considered "Major" and "Minor" and what staff's recommendations are as to how many lots trigger either administrative or administrative and planning commission review.

	Minor (number of lots created)	Major (number of lots created)
Current	4-10	11+
Proposed	2-4 (not called "Minor")	5+ (not called "Major")

Below are proposed amendments to the subdivision ordinance which reflects staff's concerns. Notice that staff is moving away from "Major" and "Minor" and instead the only difference in how a subdivision is reviewed is the number of lots that result.

2.02. Definitions. For the purpose of this ordinance the following definitions shall apply:

Agent. The designated representative of the governing body who has been appointed to serve as the agent of the council in approving plats to act hereunder. The zoning administrator shall be designated as the ~~minor~~ subdivision agent **for a subdivision where less than five lots are created**. The planning commission shall be designated as the ~~major~~ subdivision agent **for all other subdivisions**.

Planning commission. The planning commission of the Town of Chincoteague acting as ~~major~~ a subdivision agent for the town council **when 5 lots or more are created**.

Section 13. Subdivision defined.

13.01. The division of a parcel of land and the establishment of any condominium regime, into ~~four~~ **two** or more lots or parcels less than three acres each for the purpose of transfer of ownership or building development, or if a new street or road is involved in such division, any division of a parcel of land. The term includes resubdivision and when appropriate to the context shall relate to the process of subdividing or to the land subdivided; except that the following division of land shall not be deemed a subdivision:

- (a) The sale and exchange of parcels between adjoining landowners where such separation does not create additional building sites.
- (b) The release of a portion of the security of any mortgage or deed of trust, provided that any sale of property presented to any mortgage or deed of trust which would otherwise constitute a subdivision of land shall be subject to the provisions of this ordinance.
- (c) The division of any parcel occasioned by an exercise of eminent domain by any public agency.
- (d) The division of land made solely for bona fide agricultural or natural resource conservation purposes.
- (e) The division of land for sale or gift to a member of the owner's immediate family.

~~13.02. Major subdivision defined. A "major subdivision" is a subdivision as defined in subsection 13.01 above which complies with the following:~~

- ~~(a) Creates 11 or more lots from a parcel or parcels of land.~~

~~13.03. Minor subdivision defined. A "minor subdivision" is a subdivision as defined in subsection 13.01 above, which does not meet any of the conditions of a major subdivision as defined in subsection 13.02 above. (a) Creates 4 or more lots from a parcel or parcels of land.~~

Section 14. ~~Major subdivision. Subdivision Review Process~~

14.01. Purpose. To ensure that larger scale developments are fully reviewed by the planning commission for compliance with the provisions of this ordinance and other applicable county and state regulations **any division of land that results in five or more lots from a parcel or parcels of land shall adhere to the following procedures.** ~~The purpose of the major subdivision review process is~~

14.02. Procedure for review of a subdivision.

- (a) Submittal of sketch plan (optional), zoning administrator review.
- (b) Submittal of preliminary (mandatory), zoning administrator approval.
- (c) Submittal of final (mandatory), planning commission approval

14.06. Procedures for the review of the final plat. The purpose of the final plat is to require formal approval by the planning commission, **the planning director, the building and zoning administrator, the** roads engineer and the health officer, in keeping with submittal requirements for **"major subdivisions which create 5 or more lots"** and before such subdivisions are recorded and lots sold or transferred.

(d) Upon receipt of a complete submission, the zoning administrator shall accomplish the following:

1. Distribute copies of the submission to the roads engineer, **the planning director**, the health officer, and each utility company which would be responsible for providing utility service to the subdivision and such other agencies as the zoning administrator believes appropriate.

2. Establish a date and time for planning commission's review and inform the developer of such.

3. Prepare a recommendation for planning commission consideration.

4. Upon receipt of a favorable comment from the roads engineer, **the planning director** and health officer, the zoning administrator shall secure the signatures of these ~~two~~ **three** officials on the three paper copies of the final plat attesting that the final plat conforms

with all applicable requirements of their respective departments. These signatures shall be prerequisites for planning commission approval.

14.09. Improvements required to be provided in a ~~major~~ subdivision **which creates five or more lots**. The following improvements shall be provided by the developer in ~~these a major~~ subdivisions as a prerequisite for recordation of the final plat, as may be required:

- (a) ~~Public roads as may be required. All roads shall be public.~~ *[already amended]*
- (b) Drainage improvements.
- (c) Installation of water and/or sewer mains, if public service is available.
- (d) Surveying monuments.
- (e) Street signs on public roads.
- (f) Such other improvements as the planning commission may have made a part of its approval of the final plat.

All such improvements shall be made in conformance with the construction plans and specifications approved with the final plat.

14.10 ~~Section 15. Minor~~ Any Subdivision that creates four or fewer lots

- (a) ~~15.01.~~ Purpose. The purpose of ~~thise minor~~ subdivision **process** is to insure that every new lot created receives at least administrative review to insure that it meets applicable town and state regulations. It is the intent of the ~~minor~~ subdivision review process to keep the town abreast of development activity and to prevent the creation of unusable, hazardous, unsanitary, inconvenient or uneconomical lots.

14.11 ~~15.02.~~ Procedure for review of ~~minor~~ subdivisions that create four or fewer lots.

- (a) The procedure for review shall be the same **as in 14.02 (c)** ~~as that for major subdivision~~, except that the final approving authority shall be the zoning administrator.
- (b) The requirement for the preliminary plat approval is waived; however drafting and surveying requirements of the preliminary plat will be required in addition to the requirements for plat submittal for final approval.

14.12 ~~15.03.~~ Improvements, information and drafting standards required for ~~minor subdivision~~ plat. The improvements, information and drafting standards required for ~~minor subdivisions~~ shall be the same as those required for ~~major subdivision~~ **shall be the same for all subdivisions.**

14.13 ~~15.04~~ Effect of recordation of the final plat

14.14 15.05. Improvements required to be provided in a ~~minor~~ subdivision **that creates four or fewer lots**. The following improvements shall be provided by the developer in a minor subdivision as a prerequisite for recordation of the final plat, as may be required:

- ~~(a) Public roads as may be required; All roads shall be public; [already repealed]~~
- (b) Drainage improvements;
- (c) Installation of water and/or sewer mains, if public service is available;
- (d) Surveying monuments;
- (e) Street signs on public roads; and
- (f) Such other improvements as the planning commission may have made a part of its approval of the final plat.

All such improvements shall be made in conformance with the construction plans and specifications approved with the final plat.

****16.3 and 16.4 have already been repealed**

Amending the Subdivision Ordinance

12.01 [second paragraph] All proposed amendments shall be referred to the planning commission for its review. The planning commission may undertake studies and may hold a public hearing as part of its review. At the conclusion of its review, the planning commission shall formulate and forward to the Town council a written recommendation concerning the proposed amendment. If the amendment was referred to the planning commission by the Town council, the planning commission shall submit its recommendation to the town council not later than 60 days from the date of such referral.