

PLANNING COMMISSION MEETING

A G E N D A

TOWN OF CHINCOTEAGUE, VIRGINIA

September 13, 2011 - 7:00 P.M. – Council Chambers - Town Hall

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

AGENDA REVIEW/DISCLOSURES:

1. Approval of the August 8, 2011 meeting minutes
2. Old Business
 - Sign Ordinance Update
 - Work Plan – Establish priorities
3. New Business
 - Pony Penning Sales Permit Ordinance Amendment
 - Architectural Design Guidelines
4. Commission Members Announcements or Comments
(Note: Roberts Rules do not allow for discussion under comment period)

ADJOURN

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PLANNING COMMISSION MEETING

9 August 2011

WORKSESSION MINUTES

Members Present:

Mr. Ray Rosenberger, Chairman
Mrs. Mollie Cherrix, Vice Chairperson
Mr. Tripp Muth, Councilman
Mr. Gene Wayne Taylor
Mr. Steve Katsetos
Mr. Jeff Potts

Members Absent:

Mr. Spiro Papadopoulos

William Neville, Planning Director

CALL TO ORDER

Chairman Rosenberger called the meeting to order at 7:04 pm and established a quorum with Commissioner Papadopoulos absent.

The invocation was provided by Chairman Rosenberger, followed by the Pledge of Allegiance.

PUBLIC PARTICIPATION

Councilman John Jester suggested that the Planning Commission should work on preparing a document that promotes good architectural design principles similar to the one adopted by the Town of Easton, MD. Copies were handed out to illustrate the format of photographing an existing building that adds to the distinctive character of the Town and then identifying the traditional design principles that could be used for new construction or renovation. He suggested that a simple package should be prepared and sent to Council for consideration.

AGENDA

Chairman Rosenberger asked if there were any changes to the Agenda. Mr. Neville added the minutes from the June 14th public hearing for approval by the Commission. Commissioner Katsetos moved to add the minutes to the agenda, seconded by Councilman Muth. The motion was unanimously approved. Councilman Muth moved to approve the agenda, seconded by Vice Chairperson Cherrix. The motion was unanimously approved.

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1. Approval of the June 14, 2011 minutes, July 11, 2011 joint meeting minutes, and the July 12, 2011 work session minutes. Chairman Rosenberger allowed for time to review the minutes since they had not been received in advance of the meeting. Councilman Muth moved for approval of the minutes, seconded by Commissioner Potts. The motion was unanimously approved.
2. Comprehensive Zoning Map and Zoning Ordinance Amendment

Town Planner Neville presented the summary staff report. All documents have been revised to include Planning Commission comments on the 7 main public hearing topics from the last meeting, except for revisions to the Zoning Map. Written descriptions of the map changes are included on pages 42-45 of the staff report if the Planning Commission takes action at this meeting. Chairman Rosenberger informed the Commission that this item would possibly be considered by Town Council during a regular workshop on September 22nd and a public hearing could be scheduled in October if it was forwarded tonight.

Mr. Neville identified the revised zoning district standards starting on page 47 of the staff report and the only major change was to the R-4 district which was revised to mirror the existing R-3 district without any additional commercial uses. Public hearing comments are attached beginning on page 113.

A letter from Ms. Wanda Thornton was presented to the Commission that requested additional information regarding their property adjacent to Pine Grove Campground and whether the campground use could be extended under the new zoning proposed. This was their expectation based on the approved Comprehensive Plan land use map. Public comment and concern about the expansion of the C-4 district and potential commercial uses led the Commission to select the R-4 residential district for their undeveloped property but they would still like to be able to expand the campground without any additional commercial uses.

Staff identified one solution would be to revise the R-4 district and allow campground uses by-right, or the alternate would be to disregard public comment and map this undeveloped area as C-4 Commercial as shown in the adopted Town Plan. This decision was compared to the Maddox Family Campground area where the Planning Commission recommended that the entire property, including marshland, should be a single C-4 zoning district because of the specific approved land use map approved previously by Town Council with the Town Plan.

Commissioner Potts commented that Pine Grove Campground was probably the only place where an expansion could occur. Chairman Rosenberger spoke about Camper's Ranch that recently shut down operations and reduced the number of campsites available. He supported the need to continue the camping experience for visitors since it is good for families and good for business. Mr. Neville stated that campgrounds are required to contain a minimum of 5 acres.

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Commissioner Taylor confirmed that the proposed R-4 zoning will apply to the undeveloped land owned by the Thorntons and the subdivided parcels to the north owned by Whitlock and others. He added that the reason these areas had been proposed for the C-4 Resort Commercial district was because that is the district that was created for the existing campgrounds and it was understood that these parcels would be an expansion area for campground use. There was additional discussion.

Commissioner made a motion to keep the area of undeveloped property between Main Street and Pine Grove Campground in the R-4 district and to add campgrounds to the permitted use list. Chairman Rosenberger indicated that the overall zoning map and district project is a big item that should be provided to Town Council without delay so that they have plenty of time to review it. Mr. Neville advised that the proposed district regulations could be modified at this time or this issue could be sent forward to Council unresolved, however the decision should be consistent with other C-4 areas such as Maddox Family Campground.

Discussion continued. It was proposed that campgrounds and travel trailer parks would be permitted if the parcel is a minimum of 5 acres and it is contiguous to an existing campground or travel trailer park. These uses would still be permitted by special use permit without being contiguous. Commissioner Potts moved that campgrounds and camper/travel trailer parks would be included as a permitted use in the R-4 district if they are contiguous to an existing campground or camper /travel trailer park. The motion was seconded by Commissioner Taylor and passed unanimously.

Councilman Muth asked about the definition of “light seafood industry” and whether this was an outstanding issue for discussion. Following some discussion, it was decided that there is an existing definition, that no change is proposed in the draft zoning districts, and there is not a specific issue to solve at this point. Commissioner Taylor confirmed that the use was permitted in the commercial districts and required a special use permit in the R-3 and R-4 districts.

A motion to forward the proposed Zoning Map and Zoning District Amendment to the Town Council with a recommendation for approval was made by Commissioner Potts, seconded by Commissioner Taylor. The motion was approved 5-1-1 (S. Papadopoulos absent, Chairman abstained)

3. Work Plan – Sign Ordinance/Banners, Pennants, Flags

Chairman Rosenberger reviewed the previous Sign Ordinance Amendment regarding wall mounted signs that was approved by Town Council. Mr. Neville reviewed the staff report that was prepared following the April public hearing for

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Banners, Pennants and Flags. Proposed amendments to the Ordinance are listed on page 128 of the staff report.

Chairman Rosenberger identified the size of the permitted sign for Home Occupation uses as the main concern previously identified. Councilman Muth stated that the size should be limited to 2 feet x 2 feet, or 4 square feet. This would be the same as the current requirement and the same as proposed for Limited Home Occupation uses. Several Commissioners supported a larger permitted sign.

Vice Chairperson Cherrix moved to approve the Sign Ordinance amendment with a Home Occupation sign at 4 square feet maximum in size, seconded by Councilman Muth. The motion failed. A second motion was made by Commissioner Taylor for a maximum Home Occupation sign at 16 square feet. The motion failed for lack of a second. A final motion was made by Commissioner Taylor for a maximum Home Occupation sign at 12 square feet, seconded by Commissioner Potts. The Sign Ordinance amendment passed 3:2 with a recommendation for approval. (For: Taylor, Katsetos, Potts, Against: Cherrix, Muth, Abstain: Rosenberger, Absent: Papadopoulos)

4. New Business

Inserts to update copies of the Town Code were distributed.

Mr. Neville suggested that new priorities should be established for the Planning Commission's Work Plan now that work on the Zoning Map is completed.

5. Commission Members Announcements or Comments

None

ADJOURN

Commissioner Taylor moved to adjourn the meeting, seconded by Commissioner Katsetos. The motion was unanimously approved.

Ray Rosenberger, Chairman

Planning Commission Work Plan - 2011

■ Zoning District Conformance with Comprehensive Plan 2010

- Review comparison chart between existing zoning districts and land use planning areas.
- Develop strategy for preparation of new zoning classifications recommended by the Plan
- Historic Downtown (based on C-2)
- Resort Residential (new mixed use master planned development)
- Neighborhood Commercial (based on C-1)
- Commercial Corridor (possible overlay district)
- Resort Commercial (based on C-1 plus new PUD option for redevelopment)
- Prepare revised zoning map, district regulations and hold public hearings

■ Sign Ordinance Review

- Banners, Flags, Pennants

■ Other Priorities of the Comprehensive Plan

- Economic Development
- Transportation
- Community Facilities and Services
- Housing

■ Commissioner Priorities

- Energy use, recycling of material, water conservation
- Proffer study and guidelines

■ Town Council Priorities

- Beach Access
- Landscaping standards
- Architectural Design Guidelines



STAFF REPORT

To: Planning Commission

From: Bill Neville
Planning Director

Date: September 13, 2011

Subject: Ordinance Committee Report

The Town of Chincoteague Ordinance Committee met on September 8, 2011 to consider a possible amendment to the Pony Penning Sales Permit Ordinance that would relocate requirements for permits and reporting from the Zoning Ordinance to the Business section of the Town Code.

A proposed revision to the Ordinance is attached for Planning Commission review and discussion. The action taken by the Ordinance Committee is described in the following copy of the meeting minutes.

Discuss the Possibility of a Change to the Pony Penning Sales Permit Ordinance
Town Manager Ritter informed the committee that the Pony Penning sales permit is currently in the zoning ordinance but that it should be included in the Business License Section 18 of the Town Code. He also stated the need to include all special events in the ordinance.

Town Manager Ritter explained the need for the changes. He told the committee that not all of the vendors were reporting in a timely matter. He feels if we made it so they forfeited their deposit they would be more likely to remit on time.

Councilwoman Conklin motioned, seconded by Chairman Terry Howard to send the suggestion to Council for a vote after the planning commission is finished with the recommended changes.

Staff will provide a recommendation for action at the September Planning Commission meeting.

Sec. 2.127. Pony Penning sales.

Pony Penning sales is herein defined in this ordinance to mean and include all general sales within the town, open to the public, for the purpose of disposing of any personal property.

Permit. A permit is required for conducting Pony Penning sales within the town and must be secured eight days prior to the Saturday preceding Pony Penning. The permit shall be displayed at the sale location for the entire length of the sale.

(Amended 9/7/10)

Permit fee. The permit fee shall be \$300.00.

- (1) Anyone with a valid town business license is exempted from the permit fee.
- (2) Any person who produces documentary evidence to the reasonable satisfaction of the town manager that said person derives less than 50% of their gross income from the sale of such merchandise is exempt from the permit fee.
- (3) Anyone selling prepared food as defined in the town's meal tax ordinance must submit a deposit to the town manager in an amount of \$500.00 prior to receiving such permit, which amount shall be applied to any tax due as a result of such sales; **and Report of actual sales must be submitted by August 20th. Failure to report actual sales by the due date will forfeit the deposit.** †The remaining balance of the deposit, if any, shall be refunded to permittee at the end of such period upon computation of the actual tax due and payable as determined by such sales. ~~Anyone conducting such food sales who has, for a period of three years preceding this permit, complied with all applicable reporting and payment procedures as otherwise required is exempt from this deposit requirement.~~

Duration of sale; hours of operation; frequency. Sales conducted under this section are restricted to a maximum period beginning no sooner than the Saturday preceding Pony Penning and ending on the Saturday immediately following Pony Penning. Any sale exceeding this time period or otherwise not in compliance with this section will not be considered Pony Penning sales and will be in violation of this section and will be considered a business and must comply with all applicable zoning and business licensing requirements.

(Amended 6/19/08.)



STAFF REPORT

To: Planning Commission

From: Bill Neville
Planning Director

Date: September 13, 2011

Subject: Architectural Design Guidelines

The idea of creating an illustrated guide for future site planning and architectural design that would capture the character of Chincoteague Island has been discussed in the past and most recently was proposed by Councilman John Jester at the last Planning Commission meeting. The example from Easton, MD was presented because it took the approach of photographing existing buildings that help to define the uniqueness of the community, and then describing the building form and architectural principals that could be used for new construction or renovations.

Prior discussions on this topic included the following direction:

- The guidelines should be voluntary
- An annual design awards program could be used to highlight projects that add to the Town character
- The planning area that may benefit the most would be along Maddox Boulevard in the proposed Commercial Corridor District
- Any guidelines prepared for the Old Town District should avoid any reference to the term 'historic'

Staff requests that the Commission provide comments on the Easton, MD example and identify this planning project as a priority on the Work Plan with a proposed schedule. One page from the document is attached for reference.

Proportion

Proportion is the relation of components of buildings, such as doors, windows, storefronts, porches, and cornices to each other and to their facades. Often proportions are expressed as mathematical ratios, drawn from the architectural theories of ancient Greece and Renaissance Italy. For example, many historic buildings designed in the Classical Revival style use mathematical proportions to locate and size windows, doors, columns, cornices, and other building elements.



Existing Character The facades of Easton's existing residential and commercial buildings often use classical proportions. They are typically seen in the relationship of the height and width of a building, its windows and doors, slope of the roof and other facade components. In the example on this page, note that the facade symmetrical along a line drawn from the tip of the roof to the ground and the heights of the first, second and attic floors are equal. Also note that the location and proportions of the windows are related to the proportions of the facade.

In commercial buildings, the existing proportional relationships can be seen in the elements that compose storefronts as well as the size and location of upper story windows and cornices.



Design Principles The facade proportions for new commercial buildings should be based on proportions found on the facades of Easton's traditional commercial buildings.

Likewise, the facade proportions for new residential buildings should be based on proportions found on the facades of Easton's traditional residential buildings.

New building facades should be based on traditional proportions

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The Design Guidelines for New Development: Easton, Maryland was written by David H. Gleason Associates, Inc. Baltimore, Maryland