

COUNCIL WORKSHOP MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

January 19, 2012, 5:00 P.M. - Council Chambers - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN T. HOWARD

PLEDGE OF ALLEGIANCE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Review of Comprehensive Zoning Map Amendments Page 2
2. Review and approval of Beach Access Committee recommendations on CCP Alternative refinements Page 16
3. Committee Member Comments

ADJOURN:



STAFF REPORT

To: Mayor Tarr and Town Council

Through: Robert Ritter, Town Manager

From: Bill Neville, Director of Planning

Date: January 19, 2012

Subject: Zoning Map and District Update

- ❖ Town Council reviewed the Planning Commission recommendation and public comments on October 20, 2011 during Workshop #1, and scheduled a review of zoning map revisions on January 19, 2012.
 - ❖ Town Council Public Hearing is scheduled for February 6, 2012
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Workshop #2: Town Council review of Planning Commission recommendations, specifically revisions to the proposed zoning map in response to public comment.

This staff report is intended to provide a brief summary of public comment and changes to the proposed zoning map. The Town Council may have questions or comments on the following items prior to the public hearing on February 6, 2012.

- Exhibits illustrating the Current Zoning and Proposed Zoning illustrating changes recommended by the Planning Commission. Changes to the overall Proposed Zoning Map will be available for public review at least 2 weeks prior to the scheduled Town Council public hearing.
- Potential changes to the Zoning Ordinance regarding environmental protection are attached for consideration as an alternative to mapping all wetland areas in the RC zoning district.

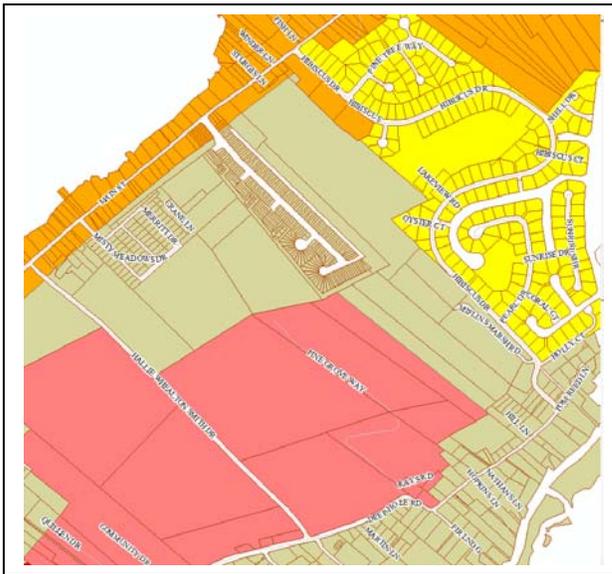
PUBLIC COMMENT: Public comments received to date have been compiled into seven (7) main Topics and Ideas that are listed below, along with proposed changes to the Zoning Districts and Zoning Map that were recommended by the Planning Commission.

- 1) **R-4 Resort Residential** – The majority of land that is proposed for the Resort Residential district is currently zoned R-3. The proposed district should not be based on the existing C-1 district regulations that would allow commercial uses in a residential district. (10% of public comment)

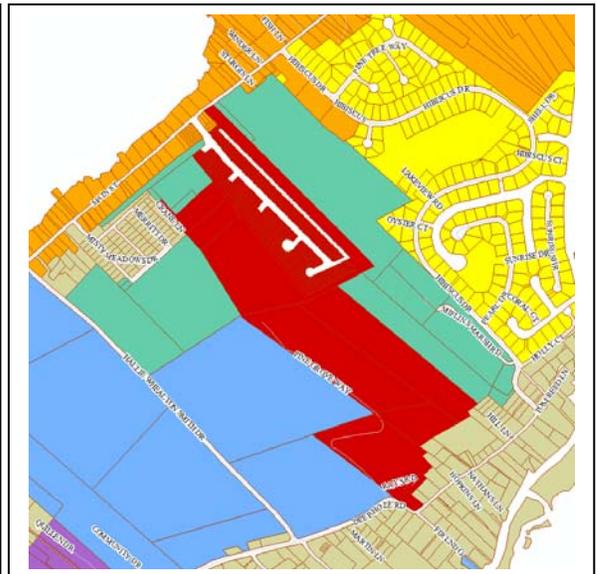
PC recommendation: There was consensus approval for the proposed change to base the new R-4 Resort Residential District on the existing R-3 District standards to minimize any change in permitted uses. (The Commission later directed staff to return the Campground and Camper/Travel Trailer Park uses to the Special Exception/Special Use Permit section of the R-4 ordinance.)

<Resolved with Text Changes to the R-3 and R-4 District Regulations>

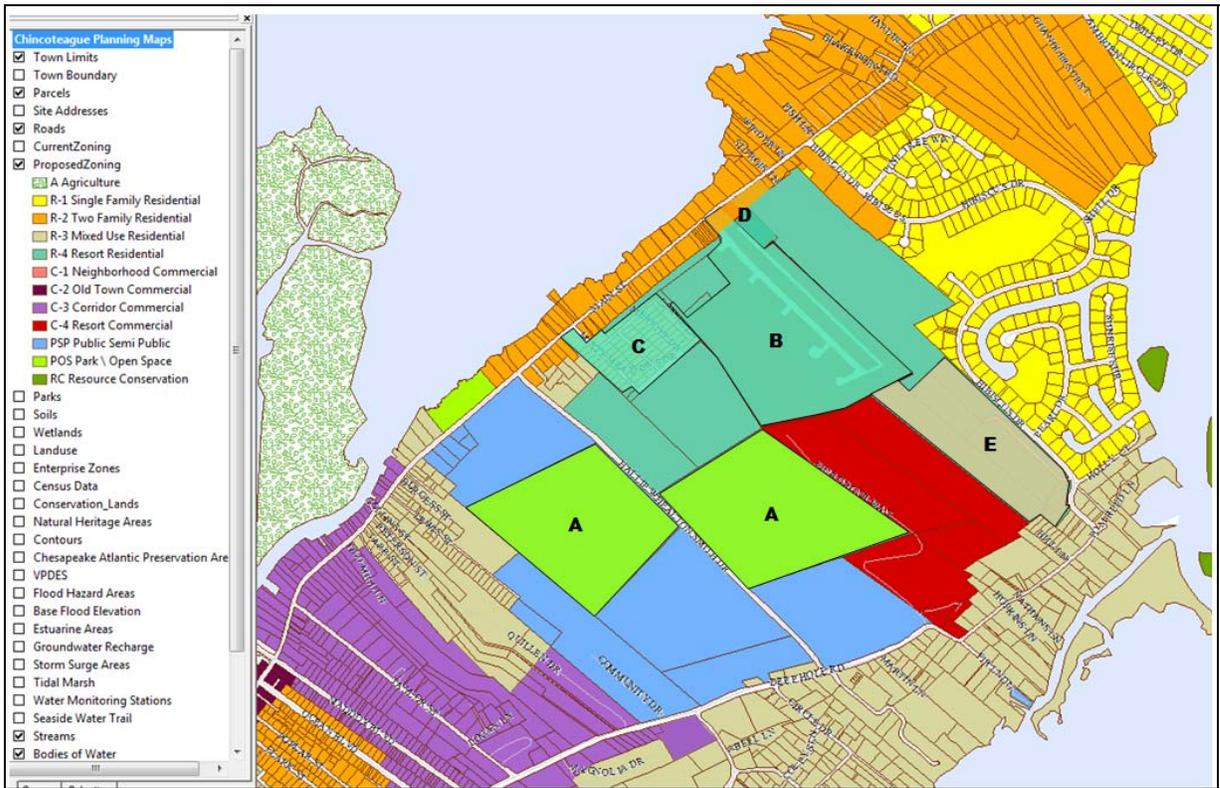
Zoning Topic Worksheet – C-4 Commercial District (North)



Existing Zoning Districts



Public Hearing Draft Districts



Alternate Draft Zoning Districts

<Refer to previous Map Exhibit>

2) **C-4 Resort Commercial** - A significant concern about allowing an expansion of commercial uses in the Resort Residential and Resort Commercial districts has been expressed by property owners at both the north and south end of the Island. In particular the expansion of commercial uses in the northern residential neighborhoods adjacent to schools, parks, and historic properties as proposed on the Comprehensive Plan land use map may not be warranted. Existing zoning is R-3. Waterfront areas along South Main Street were questioned regarding the impact of large restaurant uses. (27% of public comment)

A) Remap Nature Park from proposed P/SP (blue) to proposed POS district (light green). Proposal to show more 'green' on the zoning map to indicate the Town's commitment toward open space and recreation, versus the potential for future use to expand the public school, town office or infrastructure facilities (planned water tower). The Park and Open Space district was determined to include public utilities as a permitted use. The current zoning is C-1 Commercial.

PC recommendation: Revise the proposed zoning map to show the two Nature Park parcels in the Park and Open Space district (light green)

B) Remap proposed C-4 to proposed R-4. Proposal to keep commercial C-4 zoning on the parcels that are zoned commercial today (Pine Grove Campground), and apply the R-4 zoning to areas that are zoned R-3 today. Since the proposed R-3 district will limit mobile homes/mobile home parks by Special Use Permit, the way to keep development rights constant is to remap to the R-4 district. Property owners have indicated that they wish to keep their current permitted uses.

PC recommendation: Revise the proposed zoning map to remove the C-4 (red) zoning from parcels currently zoned R-3 and replace it with the R-4 district. Within the proposed R-4 district, the Campground and Camper/Travel Trailer Park uses will be returned to the Special Exception/ Special Use Permit section of the ordinance. The existing strip of R-2 zoning along Main Street should be shown on the proposed zoning map.

C) Remap existing R-3 to proposed R-4 on existing trailer park. The Misty Meadows neighborhood is currently mapped in the R-3 district. For this area to retain its current status, it should also be mapped to the R-4 district.

PC recommendation: The Commission agreed that Misty Meadows should be included in the proposed R-4 district.

D) Remap historic property from existing R-3 to R-2. The property that includes the Captain Timothy Hill cabin is shown on the proposed zoning map as split zoned between the C-4 and R-4 districts. To apply a similar mapping strategy as discussed for adjacent parcels, the property should be zoned R-2 along the Main Street frontage with R-4 for the remainder. This would minimize any change from existing zoning.

PC recommendation: Maintain the R-2 zoning along the Main Street frontage to a depth of approximately 150 feet and map the remainder of the property to the R-4 district.

E) Remap proposed R-4 to existing R-3. This area is adjacent to Oyster Bay Section 1 along Mifflin Marsh Lane. Public concern raised the question why this area was proposed for Resort Residential when it is already a large lot subdivision with homes constructed. Staff recommends that this area retain its existing R-3 zoning.

Another area of proposed C-4 zoning was presented for Commission review. Along the waterside of Main Street south of the Coast Guard Station, the Comprehensive Plan recommended an area to be zoned to the C-4 Resort Commercial district. Staff recommended that this area should retain its current C-2 zoning and extend the Old Town Commercial to include land on both sides of the Coast Guard.

PC recommendation: Proposed changes to the zoning map areas A through E were confirmed as described above and generally responded to public comment by recommending that the C-4 Resort Commercial district should not be expanded as shown on the Comprehensive Plan land use map.

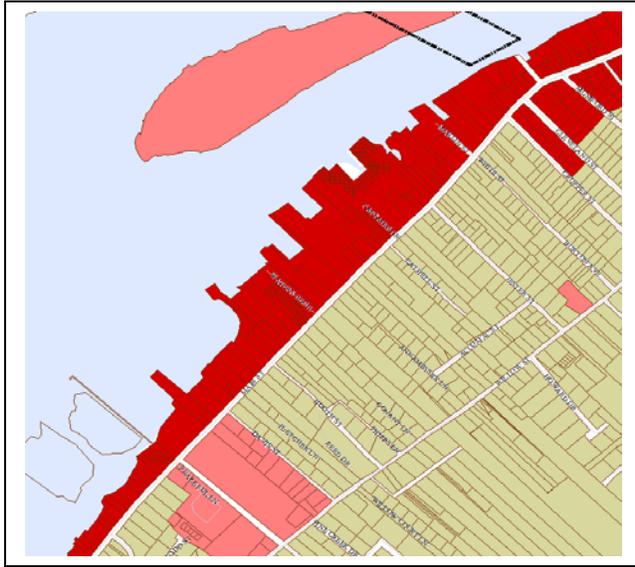
PC recommendation: The area located to the south of the Coast Guard Station should be included in the C-2 Old Town District rather than the C-4 District as shown on the Comprehensive Plan land use map.

Other Issues:

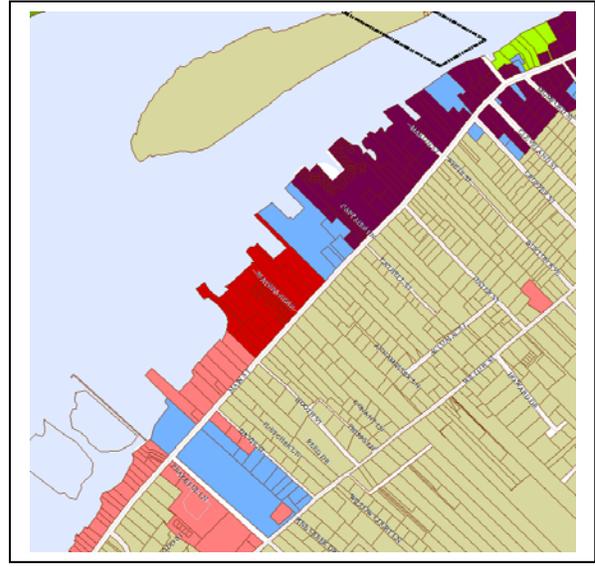
- The existing Fire Station at the corner of South Main Street and Cropper Street was discussed. This property, along with the Carnival Grounds is currently proposed to be mapped in the PSP Public Semi Public Zoning District based on current use.
- Note the Town/County boundary (black dashed line) should be revised to follow the alignment of Route 175.

<See following Map Exhibit>

Zoning Topic Worksheet – C-4 Commercial District (South)



Existing Zoning Districts



Public Hearing Draft Districts



Alternate Draft Zoning Districts

- 3) **All Commercial Districts** – In general, the idea has been advanced that most commercial uses should be allowed only by conditional use permit as a way to permit public participation in the land use approval process and to permit the Town to address unique impacts associated with new development. One speaker recommended an economic impact study. (11% of public comment)

PC recommendation: There was agreement that the work necessary to adequately address this topic went beyond the adoption of a new zoning map and would require a separate effort.

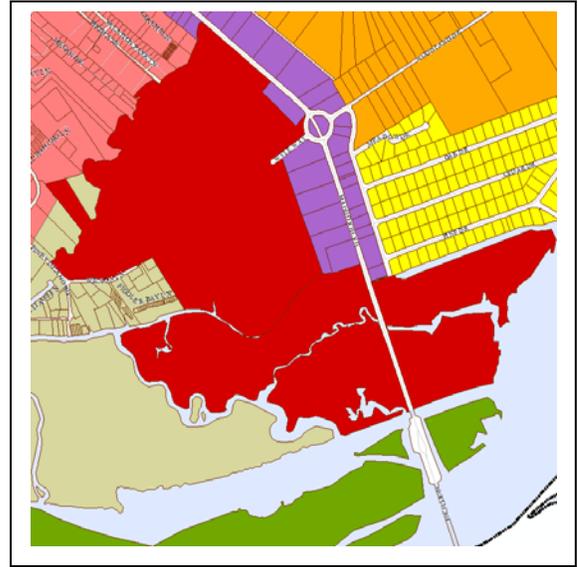
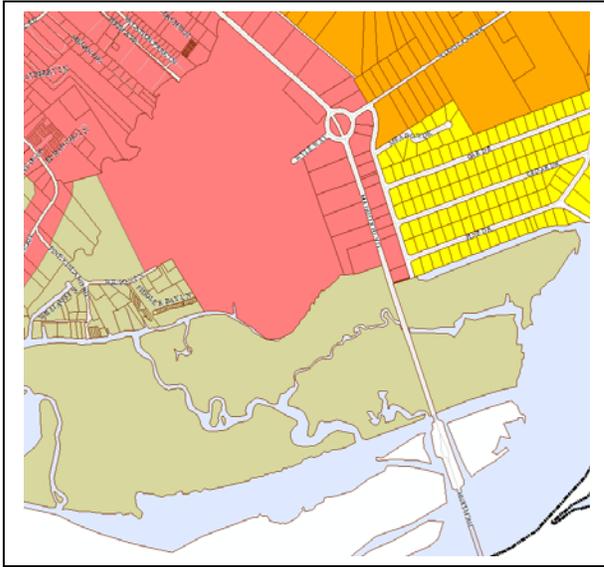
<This issue was not considered further>

- 4) **RC Resource Conservation** - This district is generally supported for the marshland areas surrounding the Island. Several questions have been raised about the exceptions proposed, including the purpose behind using the Agriculture district, R-3 Residential district, and Resort Commercial district in some locations. Several speakers appealed for the use of the RC district on the Island to protect natural features and water quality. (14% of public comment)

PC recommendation: Forward this issue to the Town Council showing the recommended land use from the adopted Comprehensive Plan as it was advertised for public hearing.

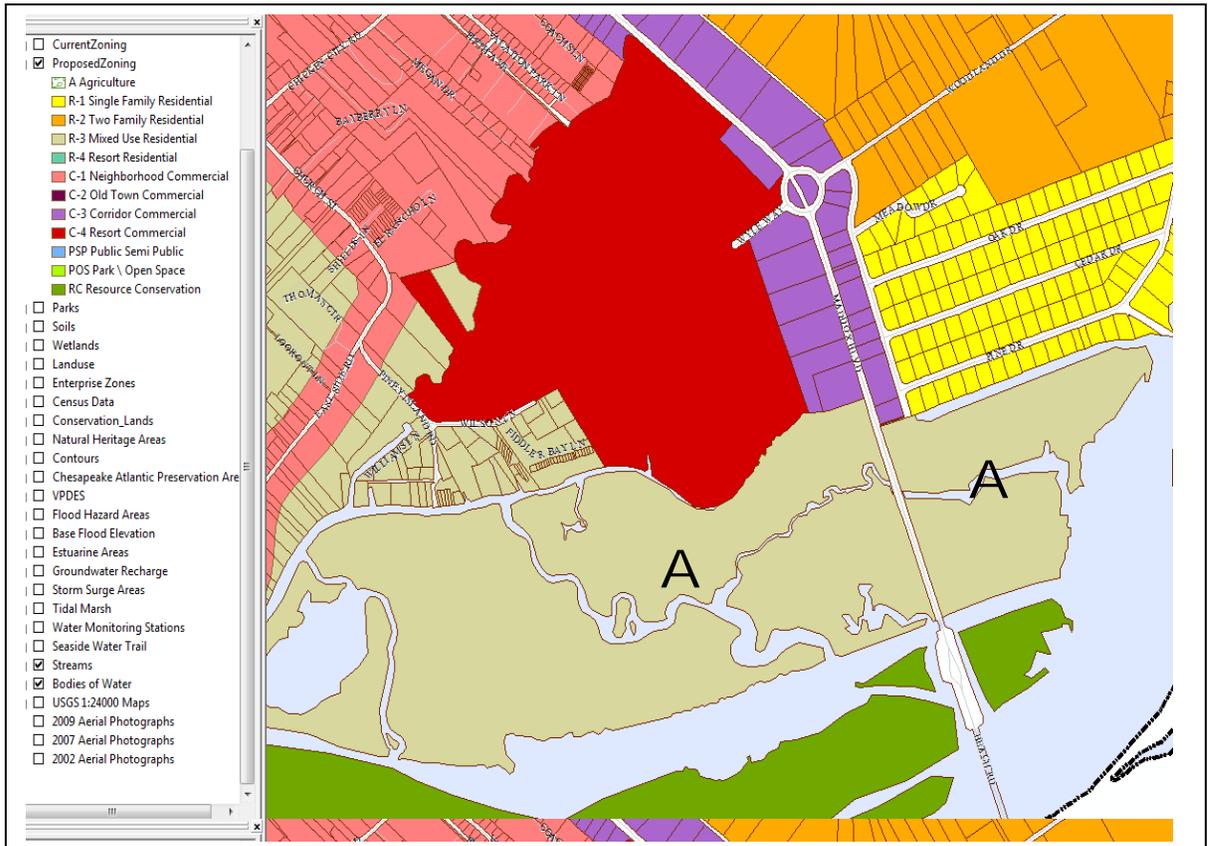
<See following Map Exhibit>

Zoning Topic Worksheet – C-4 Commercial District (Wetlands)



Existing Zoning Districts

Public Hearing Draft Districts



Alternate Draft Zoning Districts

5) **R-3 Mixed Use Residential** – Marsh Island homeowners have supported the proposed residential zoning and requested that the existing townhomes and condos would be recognized as a prior PUD approval rather than becoming legal non-conforming uses. They have also requested that any public or non-residential use such as Section 3.7.22 public piers or public boat ramps should only be allowed as a conditional use in order to address concerns for parking and safety in this location. Other property owners have asked about limitation of commercial or public uses for R-3 zoned property with access from private streets. (10% of public comment)

PC recommendation: The proposed change to the R-3 district that would require special exception approval should not be made. Public piers, public boat ramps will continue to be a permitted use.

<This issue was not considered further>

- 6) **All Permitted Uses** - Several questions have come up about the definition of 'Light Waterfront Seafood Industry'. If this is a use that is intended to support small individual businesses, should it be permitted in all districts? Is there another aquaculture definition or use listed in the Agriculture District that should be permitted in all districts.

PC recommendation: Without a specific problem to be solved, the best solution is to leave the waterfront use topic unchanged for the purpose of the Official Zoning Map project.

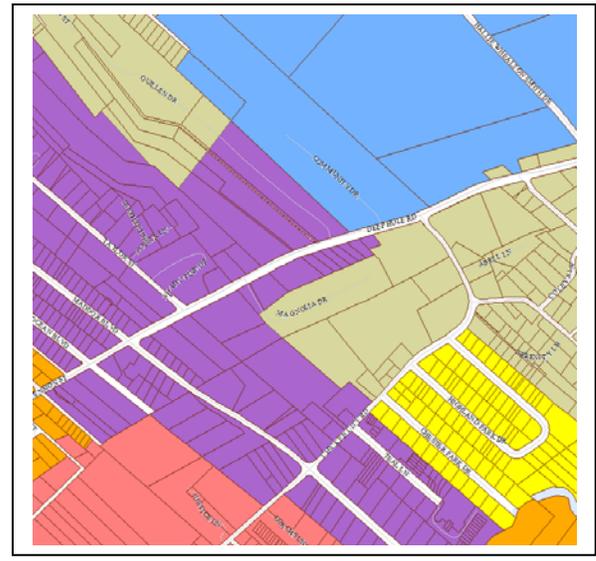
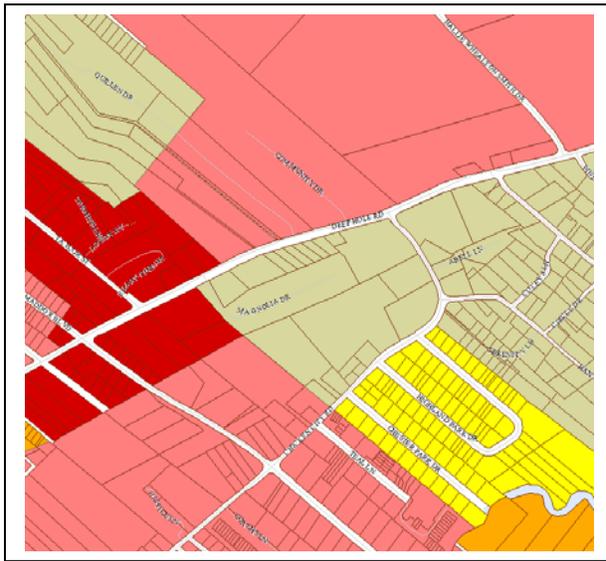
<This issue was not considered further>

- 7) **C-3 Corridor Commercial** – The Chincoteague Volunteer Fire and Rescue Company has requested to extend the C-3 district one additional parcel along Deep Hole Road to the intersection with Chicken City Road in support of a potential Fire Station location. It is currently zoned R-3.

PC recommendation: The proposed zoning map should show an extension of the C-3 zoning district to the corner of Deep Hole Road and Chicken City Road.

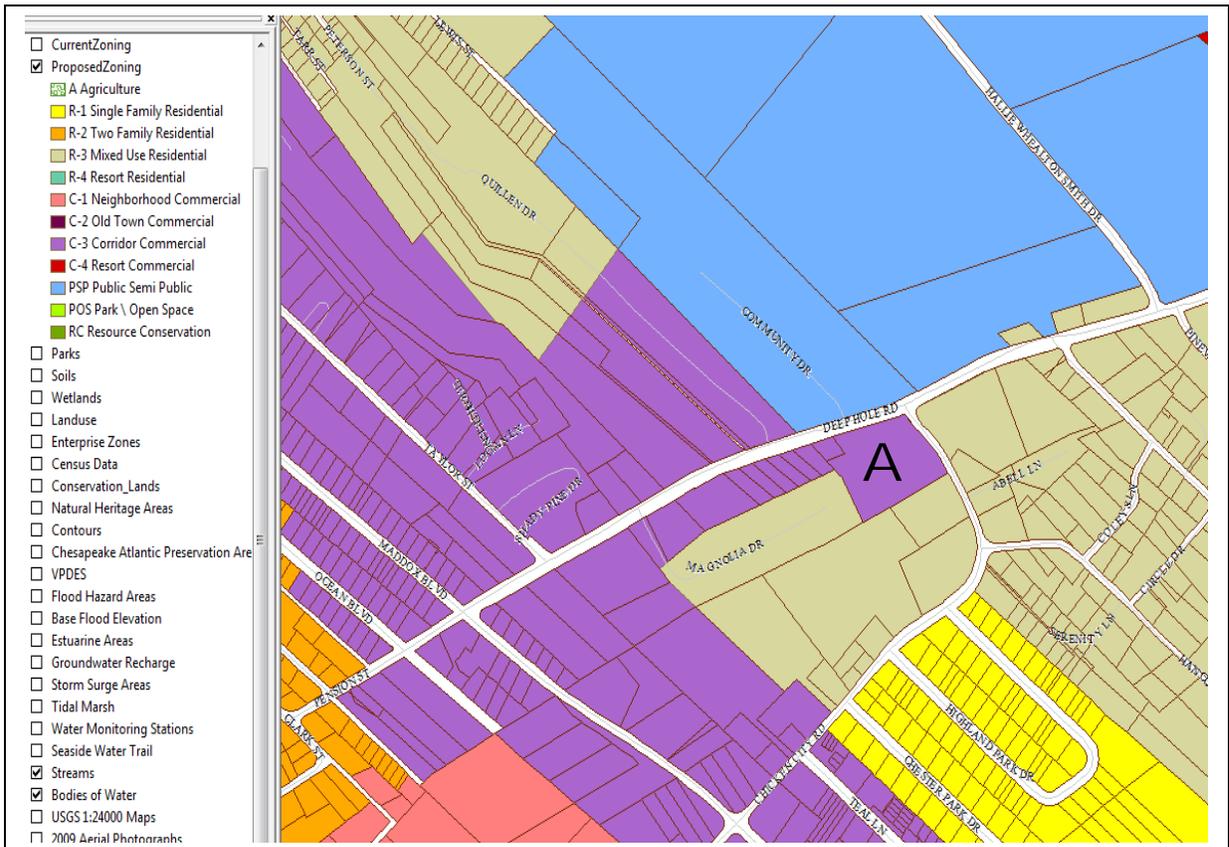
<See following Map Exhibit>

Zoning Topic Worksheet – C-4 Commercial District (Wetlands)



Existing Zoning Districts

Public Hearing Draft Districts



Alternate Draft Zoning Districts

ERRORS/CORRECTIONS: Necessary corrections to the proposed Zoning Map and Zoning Districts have been identified as a result of public review comments and are listed below. Staff has completed the corrections that will be available for public review prior to Town Council consideration of the project.

- Remove text from the C-4 District regarding potential public sewer required prior to redevelopment
 - Correct the R-4 Resort Residential District so that it is based on the R-3 District zoning standards (instead of the C-1 district standards)
 - Change the color of the C-4 Resort Commercial district so that the map prints out a red color matching the Comprehensive Plan land use map.
 - Adjust the zoning map on the east side of Main Street between the C-1 (existing) and C-2 (proposed) district and the R-2 district so that properties located along Ocean Boulevard match the written description of district boundaries contained in the Town Zoning Ordinance.
 - Correct Zoning Maps to show Hibiscus Drive as two cul-de-sacs without a through connection
 - Amend the map legend to note the existing Floodplain Overlay District that applies to the entire Island.
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OUTSTANDING ISSUES: Several comments from the public were not resolved by the Planning Commission. Since they involve a broader policy decision by Town Council, these issues will be presented by Staff at the workshop meeting and may need to be resolved prior to advertising for public hearing.

- Expansion of existing campgrounds through C-4 Commercial zoning of land currently zoned R-3 Residential (two examples)
- Resource Conservation zoning and/or district regulations for protection of wetland areas.
- Route 175 Right of Way/Annexation Boundary



STAFF REPORT

To: Mayor Tarr and the Town Council

Through: Robert G. Ritter, Town Manager

From: Bill Neville, Director of Planning

Date: January 19, 2012

Subject: Town Council Workshop – Beach Access Committee Report

- ❖ Review and approval of Beach Access Committee recommendations on CCP Alternative refinements
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The Chincoteague-Assateague Beach Access Committee met on January 16, 2012 to review changes to the CCP Alternatives that were presented by Refuge Staff in December. The Committee appreciates the progress made by USFWS to address public comments and the decision to include elected officials at the last Refuge Planning Team meeting.

Refuge Manager Hinds has agreed to delay the publication of their next newsletter, allowing the Town until Friday January 20th to request any additional refinements. Several suggested changes to the FWS refinement language were identified as well as a few larger issues that remain to be worked out this year.

Committee Recommendation

The Committee considered the draft refinements prepared by Town Staff (attachment) and discussed the remaining issues and concerns that were not adequately addressed by the FWS presentation.

1. Offsite Parking and the Shuttle Concept
2. Beach Road Removal
3. Public Safety of Chincoteague Island/Hazard Mitigation
4. Alternative A and the 1-2-3 Common Sense Plan
5. Alternative B transitional construction and visitor experience

The Committee recommended the preparation of a cover letter and list of additional refinements that focused on these five main areas of concern. (Draft will be provided to Council members prior to the Workshop)