

Town of Colonial Beach Planning Commission Meeting Minutes

Date: Thursday, September 17, 2015 – Town Center, 22 Washington Avenue

Time: 5:30 p.m.

Present: Robin Schick, Chairwoman
Maureen McCabe, Vice Chairwoman
Diana Clopton
Pam Tolson

Absent: Bob Busick

Staff: Brendan McHugh, Planning and Zoning Administrator
Tori Haynes, Planning Assistant

Item 1: Call to Order

Chairwoman Schick called the meeting to order at 5:39 p.m.

Item 2: Approval of Minutes of the August 2015 Work Session

Chairwoman Schick asked for a motion to approve the minutes of the August 2015 Work Session. Ms. Clopton made the motion to approve the minutes. Vice Chairwoman McCabe seconded the motion.

Chairwoman Schick called for a voice vote; it was unanimously resolved:

That the minutes of the August 2015 Work Session be approved.

Item 3: Public Comment on Planning Commission Matters Not on the Agenda

Dr. Fahrney, 3419 Riverview Drive, gave a two-part presentation on building a community center in town. He represented Colonial Beach Foundation for Part 1, and he represented himself for Part 2. He suggested several potential locations, including 717 Marshall Avenue, 700 Colonial Avenue, 719 Colonial Avenue, and 315 Douglas Avenue. His presentation included pros and cons of each site, as well as site plans and financial considerations. He concluded that 315 Douglas Avenue (old elementary school) would be the best option, citing its accessible location and local significance to the Town.

Item 4: Committee Reports

Chairwoman Schick asked for the CIP Committee Report.

Vice Chairwoman McCabe explained that there would be an adjustment to the CIP schedule:

February:	Staff gives applications to Planning Commission for review
March:	Planning Commission will hold Public Hearing on the CIP and make final recommendations to Council
April:	Town Council will review CIP with all recommendations at work session
June/July:	Final budget is approved

Vice Chairwoman McCabe asked Mr. McHugh if the trash truck had been purchased for Public Works, as had been asked at previous meetings. She also asked for a price quote.

Mr. McHugh said he would look into it.

Ms. Clopton asked about the source of funding for road paving in the Classic Shores subdivision.

Mr. McHugh replied from the VDOT maintenance fund. He noted that CIP applications from Staff were due to the Town Manager today for review.

Item 5: Public Hearing on Article 9 – Commercial Residential

Mr. McHugh read the following Staff Report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT		
PROJECT NAME: Article 9, Commercial Residential Amendment		Town Council Meeting Date:
Case Number: ZOA-04-2015/Ordinance 641		Applicant: Town
Project Status:		Owner: N/A
<input type="checkbox"/> Preliminary Sketch Application	<input type="checkbox"/> Rezoning	Location: N/A
<input type="checkbox"/> Preliminary Plat Use	<input type="checkbox"/> Conditional	Voting District: N/A
<input type="checkbox"/> Preliminary Final Plat Plans	<input type="checkbox"/> Concept	Parcel Number: N/A
<input type="checkbox"/> Final Plat	<input checked="" type="checkbox"/> Text Amendment	Total Site Area: N/A
<input type="checkbox"/> Vacation	<input type="checkbox"/> Comp Plan Amendment	Site Area Developed: N/A
Existing Structures: N/A		CBPA: N/A
Flood Hazard: N/A		Additional Site Date: N/A
Current Zoning: N/A		
Action Request: Recommendation to Town Council	Staff: B. McHugh	Date: 09-17-2015

PRIOR ACTIONS / CASE HISTORY:

Rezoning: N/A
Conditional Use Permit: N/A
Variances: N/A
Subdivisions: N/A
Other Data: N/A

BACKGROUND:

Staff reviewed the current Commercial Residential District and has updated the article by adding new uses as well as restructuring the article to make it easier to read. Like past amendments, we have utilized a table to show the specifications for bulk and area regulations and eliminated excess text. Also, new definitions are added to Article 20 as part of the proposed ordinance.

DISCUSSION:

The Planning Commission reviewed and recommended amendments to staff's recommendations last month. Along with the original amendments, staff made the necessary recommended changes requested by the Planning Commission. Staff believes that by adding these provisions, it promotes public health and safety and streamlines the zoning requirements for this district.

STAFF RECOMMENDATION:

In order to simplify, condense, and update the Zoning Ordinance as well as make its administration more efficient and effective, staff recommends to the Planning Commission that this text amendment be sent forward to the Town Council with a favorable recommendation.

Chairwoman Schick opened the Public Hearing for Article 9 at 6:13 p.m. There was no public comment.

Chairwoman Schick opened the Commission Discussion on Article 9 at 6:14 p.m. She noted several typos to be corrected before the final copy gets sent to Town Council.

Mr. McHugh noted the corrections to be made. He clarified that Article 9 was properly advertised without the typos.

Vice Chairwoman McCabe read the following paper:

PLANNING COMMISSION PAPER

AT THE REGULAR MEETING HELD THURSDAY, SEPTEMBER 17, 2015 AT THE COLONIAL BEACH TOWN CENTER

This recommended adoption *amends Article 09 – Commercial Residential District of the Colonial Beach Zoning Ordinance*. Additionally, *Article 20 – Definitions* will be amended with added or updated definitions. Whereas, the Colonial Beach Planning Commission finds that public necessity, convenience, general welfare and good zoning practice would be served by recommending the approval of Zoning Text Amendment (ZOA-04-2015, Ordinance 641);

Now therefore be it resolved that the Colonial Beach Planning Commission hereby recommends approval of the Zoning Text Amendment ZOA-04-2015, Ordinance 641 and forward the amendment to the Town Council with a favorable recommendation in accordance with §15.2-2200 of the *Code of Virginia, 1950* as amended.

MOVED BY: Vice Chairwoman McCabe **SECONDED BY:** Ms. Clopton

	<u>Aye</u>	<u>Nay</u>
Robin Schick, Chairwoman	x	
Maureen McCabe, Vice Chairwoman	x	
Diana Clopton	x	
Pam Tolson	x	
Bob Busick (absent)		

Item 6: Public Hearing on Article 26 – Home Occupations

Mr. McHugh presented the following Staff Report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT NAME: Article 26, Home Occupation Amendment	Town Council Meeting Date:	
Case Number: ZOA-05-2015/Ordinance 664	Applicant: Town	
Project Status: <input type="checkbox"/> Preliminary Sketch Application <input type="checkbox"/> Rezoning <input type="checkbox"/> Preliminary Plat Use <input type="checkbox"/> Conditional <input type="checkbox"/> Preliminary Final Plat Plans <input type="checkbox"/> Concept <input type="checkbox"/> Final Plat <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/> Vacation <input type="checkbox"/> Comp Plan Amendment	Owner: N/A	
	Location: N/A	
	Voting District: N/A	
	Parcel Number: N/A	
	Total Site Area: N/A	
	Site Area Developed: N/A	
Existing Structures: N/A	CBPA: N/A	
Flood Hazard: N/A	Additional Site Date: N/A	
Current Zoning: N/A		
Action Request: Recommendation to Town Council	Staff: B. McHugh	Date: 09-17-2015

PRIOR ACTIONS / CASE HISTORY:

Rezoning: N/A
Conditional Use Permit: N/A
Variances: N/A
Subdivisions: N/A
Other Data: N/A

BACKGROUND:

Staff reviewed the current Home Occupations ordinance and has updated the article by adding new uses as well as restructuring the article to make it easier to read. Some of the major changes include but are not limited to changes to customer/client contact, as well as adding Home Nanobreweries as a major home occupation. Also, new definitions are added to Article 20 as part of the proposed ordinance.

DISCUSSION:

Staff believes that by adding these provisions, it promotes public health and safety and streamlines the zoning requirements for this article.

STAFF RECOMMENDATION:

In order to simplify, condense, and update the Zoning Ordinance as well as make its administration more efficient and effective, staff recommends to the Planning Commission that this text amendment be sent forward to the Town Council with a favorable recommendation.

Chairwoman Schick opened the Public Hearing on Article 26 at 6:19 p.m.

Susan Tilt, 35 12th Street, expressed her concern that the proposed amendments to Article 26 do not sufficiently support Artisan Trail participants. She suggested the following:

- Eliminate Minor/Major Home Occupation categories
- Eliminate water meter requirements
- Eliminate “by appointment only” customer/client contact under Minor Home Occupations
- Relax setback requirements for signs related to Home Occupations
- Eliminate space limitations for artist studios
- Allow up to four non-family members to work in the same studio

Chairwoman Schick explained that some of those concerns had already been revised in the proposed amendment, such as sign placement. Other concerns, such as the Minor/Major classifications, cannot be eliminated because Article 26 covers all Home Occupations, not just the Artisan Trail. She also noted that some of the Home Occupation requirements were based on State law and were not just a local issue.

Ms. Tilt asked if Artisan Trail participants could be exempt from Article 26 requirements.

Chairwoman Schick explained that they cannot make exceptions for one type of business.

Ms. Tilt invited the Commissioners to an Artisan Trail meeting on October 27 at Jarrett Thor Gallery.

Chairwoman Schick closed Public Comment at 6:32 p.m. and opened the Commission Discussion.

Ms. Clopton noted a typo related to the sign setback. Mr. McHugh confirmed that the final version of the ordinance would include the corrections.

Vice Chairwoman McCabe read the following paper:

PLANNING COMMISSION PAPER

AT THE REGULAR MEETING HELD THURSDAY, SEPTEMBER 17, 2015 AT THE COLONIAL BEACH TOWN CENTER

This recommended adoption *amends Article 26 – Home Occupations of the Colonial Beach Zoning Ordinance*. Additionally, *Article 20 – Definitions* will be amended with added or updated definitions. Whereas, the Colonial Beach Planning Commission finds that public necessity, convenience, general welfare, and good zoning practice would be served by recommending the approval of Zoning Text Amendment (ZOA-05-2015, Ordinance 664);

Now therefore be it resolved that the Colonial Beach Planning Commission hereby recommends approval of Zoning Text Amendment ZOA-05-2015, Ordinance 664 and forwards the amendment to the Town Council with a favorable recommendation in accordance with §15.2-2200 of the *Code of Virginia, 1950* as amended.

MOVED BY: Vice Chairwoman McCabe **SECONDED BY:** Ms. Tolson

	<u>Aye</u>	<u>Nay</u>
Robin Schick, Chairwoman	x	
Maureen McCabe, Vice Chairwoman	x	
Diana Clopton	x	
Pam Tolson	x	
Bob Busick (absent)		

Item 7: Staff Report on Article 24 – Landscaping and Article 18 – Miscellaneous

Mr. McHugh presented the following Staff Report:

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT		
PROJECT NAME: Article 18 and Article 24 Amendments		Town Council Meeting Date:
Case Number: ZOA-06-2015/Ordinance 665		Applicant: Town
Project Status:		Owner: N/A
<input type="checkbox"/> Preliminary Sketch Application	<input type="checkbox"/> Rezoning	Location: N/A
<input type="checkbox"/> Preliminary Plat Use	<input type="checkbox"/> Conditional	Voting District: N/A
<input type="checkbox"/> Preliminary Final Plat Plans	<input type="checkbox"/> Concept	Parcel Number: N/A
<input type="checkbox"/> Final Plat	<input checked="" type="checkbox"/> Text Amendment	Total Site Area: N/A
<input type="checkbox"/> Vacation	<input type="checkbox"/> Comp Plan Amendment	Site Area Developed: N/A
Existing Structures: N/A		CBPA: N/A
Flood Hazard: N/A		Additional Site Date: N/A
Current Zoning: N/A		
Action Request: Recommendation to Town Council	Staff: B. McHugh	Date: 09-17-2015

PRIOR ACTION / CASE HISTORY:

Rezoning: N/A
Conditional Use Permit: N/A
Variances: N/A
Subdivisions: N/A
Other Data: N/A

BACKGROUND:

As the Planning Commission is aware, amendments to Article 18 – Supplementary Regulations were passed on to the Town Council with a favorable recommendation at the July 2015 Planning Commission meeting. Those amendments repealed Article 18 – Miscellaneous, Article 24 – Landscaping, Article 26 – Home Occupations, and Article 13 – Parking. The contents of those articles were streamlined and enhanced with the new Article 18 – Supplementary Regulations. Town Council reviewed those amendments and passed the article back to the Planning Commission requesting that the article get divided back into separate articles.

DISCUSSION:

Staff divided the article. This ordinance amends the Article 24 Landscaping and Article 18 Miscellaneous portion of the divided article. The only amendment that has been made to these sections is that staff divided them back into separate articles. No additional text amendments have been made since the amendments were passed by the Planning Commission as one article. Staff believes that by adding these provisions, it promotes public health and safety and streamlines the zoning requirements for this district.

STAFF RECOMMENDATION:

In order to simplify, condense, and update the Zoning Ordinance as well as make its administration more efficient and effective, Staff recommends to the Planning Commission that this text amendment be advertised at the regular October Planning Commission meeting and be sent forward to the Town Council with a favorable recommendation.

Ms. Clopton asked about the language concerning street frontages in Section 18-6. She suggested adding “from surveyed property line” to Item A.

Mr. McHugh agreed to make the change.

Ms. Clopton asked if site plans are required to show both existing trees and trees to be planted.

Mr. McHugh confirmed both.

Ms. Clopton expressed concern that Article 24 does not include current stormwater regulations.

Mr. McHugh explained that DEQ recently confirmed the Town’s compliance with the Chesapeake Bay Act.

Ms. Clopton said the Town isn’t meeting highest and best standards. There are seventeen outlets going into the water, eroding the shoreline.

Chairwoman Schick and Vice Chairwoman McCabe suggested Ms. Clopton meet with Mr. McHugh and present an itemized comparison of regulations that need to be included in the Landscaping ordinance.

Item 8: Discussion on Comprehensive Plan

Vice Chairwoman McCabe expressed concern that the Planning Commission has not yet been consulted during any stage of the planning process for the proposed new elementary school. She explained that in her career as a Superintendent in the Richmond area, where she helped build a new school, the planning process took two years and the whole project took seven years. This time frame included feasibility studies, donation solicitation, compliance with state regulations, etc. She questioned how the Colonial Beach School Board intends to build a school by 2017 yet hasn’t presented a plan. She also questioned why information on the new school isn’t available on the school website. She noted that other school systems building new schools have included their planning process online.

Chairwoman Schick said she planned to ask about the role of a Planning Commission and a new school at an upcoming Commissioner training course.

Ms. Tolson expressed concern that the Comprehensive Plan was being used as a wedge between Town members who want the school and those who don’t. She wanted to know if a Planning Commission can conduct a survey of citizens as part of the Comprehensive Plan update.

Ms. Clopton said she was at the Town Council meeting where they discussed the budget request for the new school. She said some of the Councilors voiced their concern that the school process was happening too fast. She also questioned whether the School Board would use eminent domain to obtain land for the school.

Reporter Susan Pietras-Smith of the Westmoreland News said she was also at that meeting. She said Dr. Newman confirmed that the School Board would not use eminent domain.

Chairwoman McCabe reiterated her concern that the school planning process is not in line with the Comprehensive Plan. She agreed with Ms. Tolson that a new survey for citizen input would be helpful.

There was a discussion on the two open spots on the Planning Commission.

Item 9: Adjournment

There being no further business, the meeting was adjourned at 7:00 p.m.