

**REGULAR MEETING OF
LURAY PLANNING COMMISSION
November 15, 2017**

The Luray Planning Commission met on Wednesday, October 11, 2017 at 7:00 p.m. in regular session. The meeting was held in the Luray Town Council Chambers at 45 East Main Street, Luray, Virginia at which time there were present the following:

Commissioners Present:

Ronald Good, Chairman
John Shaffer
Gail Kyle
Brian Sours

Absent:

Grace Nowak
Tracie Dickson

Others Present:

Bryan Chrisman, Acting Town Manager
Brooke Newman, Planning & Zoning Assistant
Leah Pence, Council Member

The meeting was called to order by Chairman, Ronald Good, at 7:00 p.m. and everyone joined in the Pledge of Allegiance to the flag.

APPROVAL OF MINUTES:

Motion: Commissioner Gail Kyle made the motion to accept the minutes from the October 11, 2017 regular Planning Commission meeting; seconded by Commissioner Joey Sours.

YEA: Chairman Ronal Good, Commissioners John Shaffer, Brian Sours, and Gail Kyle **Approved 4-0**

PUBLIC HEARINGS

A. Amendments – Lodging Houses SUP R2, R3, R4, R5, M1, PND

Bryan Chrisman commented that based on the last planning commission meeting and a 3-2 vote, the advertising for lodging houses by special use permit in zoning districts throughout Luray was amended by the town attorney to add R2 residential district by special use permit for lodging houses. The town attorney revised the ordinance which was advertised for tonight's meeting to read, lodging houses by special use permit in R2, R3, R4, R5, M1, and PND. A staff report was added to the planning commission packets which supports special use permit lodging houses in R3, R4, R5, M1 and PND but states the staff has reservations about lodging homes by special use permits in R2 residential districts. Commissioner Shaffer stated he understands the special use permit acts as a safe guard. Chairman Good asked Mr. Chrisman for clarification the background information in the staff report which states that bed and breakfasts have been allowed on certain streets in R2. Mr. Chrisman stated that bed and breakfasts are

allowed in all of R2 now. It was originally only allowed on South Court Street, Blueridge and Cave by SUP. At the latest town council meeting on the subject, Council Member Meniffee made the motion to allow bed and breakfasts by SUP in all of R2. The council took a vote and the ordinance was changed. Up until that time, bed and breakfasts were only allowed in R2 on specific streets because of the size of the parcels and the size of the homes, which the council felt were conducive to bed and breakfast operations under a special use permit. So with that one vote, it opened up R2 all over town for bed and breakfasts, and not all of R2 has big lots or homes. The special use permit as mentioned by Commissioner Shaffer, would be your safe guard to evaluate those proposals on a case by case basis. Chairman Good restated that the code as it is written now allows bed and breakfasts by special use permit in all of R2. He also mentioned that a bed and breakfast is different from a lodging house. Mr. Chrisman added that the basis of the discussion at the last meeting, were the differences of a bed and breakfast and a lodging house. The primary difference being that with a bed and breakfast, the owner or the owner's agent has to live on the premises. With a lodging home, that is not a requirement. The other requirements of a bed and breakfast are that you have to have a health department permit, a building inspection, have certain operating hours, your off-street parking needs to meet the ordinance, among other things that are automatically built in to the bed and breakfast ordinance that are not built in to the lodging house portion that's being proposed. Mr. Chrisman also added that a bed and breakfast rents multiple rooms to multiple groups, opposed to a lodging house which rents the whole dwelling to one applicant. It's a great idea to have them by special use permit so that the neighborhood has an opportunity to review and comment to the commission and council. Chairman Good stated that over the years he and his wife have stayed in bed and breakfasts and they enjoy home away with the option to rent a house. Mr. Chrisman noted they are popular and the town recognizes the lodging needs in our area. The issue is where do you draw the line? This is the question before the commission and the council. Commissioner Sours stated that in regards to R2, he voted for that recommendation with the impression that it was by special use permit allowing it to be looked at as having the checks and balance up front and with that as a safe guard. He agrees with the staff report recommendation that it would promote more traffic and parking demands, but with the special use permit it can be looked at on a case by case basis.

Chairman Good stated he feels just as the staff recommendation says, that the lodging houses in R3, R4, R5, M1, and PND by Special Use Permit would be useful and appropriate, but he does not agree with the R2 proposal.

Commissioner Shaffer stated that we opened the door with bed and breakfasts in that area or specific areas, there is a protection that it would help with special events, but he thinks the pluses outweigh the negatives.

Motion: Commissioner Gail Kyle made the motion to adopt the ordinance as provided by the town attorney; seconded by Commissioner Brian Sours. YEA: Commissioners John Shaffer, Brian Sours, Gail Kyle NAY: Chairman Good

Approved 3-1

B. Amendments – Yard Sales

Mr. Chrisman stated that the issue on yards came from the town attorney who saw some ambiguity on how the section on yard sales read in several parts of the ordinance. The other source was enforcement in permitting fee assignment. The police department issues the permits. At \$20.00 a piece after the first two yard sales, it's not about money making for the town. It becomes difficult to keep up with someone

having a third yard sale each year, which is very few. The town attorney redrafted the yard sale portion of the ordinance and suggested the outlined changes. Given the suggestions from the chief of police and also from the town attorney, the staff concurs with the recommendations in the proposed changes.

Chairman Good stated it is clear having two yard sales a year are ok, but we do not want them to occur multiple times a year, or occur every weekend.

Motion: Commissioner Shaffer moved that the approved recommendation be passed to town council; seconded Commissioner Gail Kyle

YEA: Chairman Good, Commissioners John Shaffer, Brian Sours, Gail Kyle

Approved 4-0

C. Accessory Buildings By Right B1

Bryan Chrisman stated that once it was discovered that accessory buildings were not listed as any kind of use in B1, and many of these exist in Luray, it was realized there was a short coming in the ordinance. After talking with the town attorney, it too appeared to him there was an oversight in the ordinance and it should be added and forwarded through the planning commission and the town council. Accessory structures already exist in the B1 district for storage uses for businesses and they are currently not listed as a permitted use either by right or special use permit. The ordinance as amended would allow storage and accessory building in the B1 district as a by right use. Many business structures are small or are configured in such a way that they do not have the room to store everything in their primary structure. There are no real setbacks in the B1 district, so we do encourage applicants to stay at least one foot off the property line to make sure the buildings are on their property. So, the same setbacks would apply to the new ordinance. There would be no setbacks required for B1 and we would continue to encourage them to stay at least one foot inside the property line. Our staff report concurs with the use being that it is highly prevalent throughout the community and appears to be an oversight in the ordinance. Gail Kyle inquired if there had ever been an issue with there not being a setback. Mr. Chrisman's response was that our business district, like other small towns established in the 1800's, people built right up to the property line. For new construction, when we review the site plans, we talk about buffering and setbacks. We have an accurate survey at that point, and if we don't have an accurate survey, we strongly recommend the applicant get one before they begin construction. So far there have never been any issues.

Motion: Commissioner Gail Kyle motioned the amendment be changed as presented; seconded Commissioner Brian Sours

YEA: Chairman Good, Commissioners Shaffer, Sours, Kyle

Approved 4-0

UPDATES AND DISCUSSIONS

A. Comprehensive Plan 2018 – Chapters 7, 8, 9

Section 7: Housing

Bryan Chrisman stated updates needed to be made to the statistics for age of homes. Instead of having a graph on types of household heating, he recommended showing the distribution of the types of housing (single family, duplex, townhomes, apartments, etc.). The types of housing shows a better reflection of

whether we are doing a good job or not in terms of housing in Luray. Affordability indexes are good data to have and we can get that from the Department of Housing and Community Development in Richmond and the Regional Commission who keep the stats updated on a monthly basis. The problem is that the US Census won't happen again until 2020, and we are updating this plan two years prior. We have to go on 2010 Census data. We are going to try to get updates and amendments that the Bureau of Labor and Statistics has added in the last 7 years. Chairman Good inquired about an update on the apartments off Airport Road. Mr. Chrisman stated, they completed their application requirements for the approval of the funding they received. As far as putting the second payment down on the property, to his knowledge, that has not occurred. It was scheduled to happen before the end of this year. If that happens, People Incorporated owns the property and the State would require them to do something with it. This would give us a variety of homes on the western border of the town. Commissioner Gail Kyle inquired about updates on the Luray Landing Property. Mr. Chrisman informed the commission they are in the process of updating the Planned Neighborhood Development. The thing that would change is the reduction in acreage, which changes their open space requirements and the housing density if they moved away from houses and townhomes and only went with duplexes and single family dwellings. However, if they keep all three types and reduce the numbers of all three types, the impact on the area would not be that great. It would still be a Planned Neighborhood Development, but you would still see that blend of commercial, single family dwelling, duplex and apartments and townhome blocks.

Mr. Chrisman mentioned the meeting with Alex Seal who helped design the 2013 Comprehensive Plan. Their was discussion about increasing the size of the zoning map to make it more legible, and also increasing the size of the graphs to make them more legible as well. We also discussed the executive summary being at the front of each section verses having a basic chapter summary at the back. After having that discussion, it was agreed that we can do both.

Section 8: Historic Resources

Bryan Chrisman mentioned that we have quite a few of these in town, not to mention our historic district containing buildings that are based on the Virginia Department of Historic Resources evaluation. We will try to focus on some of these and other historic elements of Luray and also add a map. We can add a reference to Department of Historic Recourses report and their website. We may want to mentioned the train Depot and the two schools on Luray Avenue. Chairman Good inquired about the murals and whether or not they will be mentioned. Mr. Chrisman agreed that they need to be added to the comprehensive plan. Council Member Leah Pence spoke regarding the Chinkapin Oak tree which is listed as a Virginia remarkable tree and possibly adding its significance to Luray. Mr. Chrisman stated its part of the trail program, so could be listed under the creational resources section.

Section 9: Recreational Resources

Under recreational resources we have good descriptions of our current recreational resources in Luray and we are going to add pictures for the structures that are now complete or have been renovated since the current comp plan was created. In addition, the Virginia Outdoor Plan includes some components that need to be included as well. Pat O'Brien sits on the Virginia Outdoor Plan committee in Richmond and we are going to ask him to provide sections of that plan to be incorporated into this chapter. An item regarding the mural trail will be added to this section. We will go over the event listing cards from the past years to make sure we are not missing any recreational resources (Carillon Park, In lawn Park). Commissioner Brian Sours noted that in Section 12, Community Design and Beautification, might be the place to mention the murals. Mr. Chrisman pointed out the addition of the arts and cultural district has

changed since the comp plan was created. Under section 12, we want to include the arts and cultural district and overlay map showing where that is located. Commissioner Gail Kyle stated we are now a part of the Artisans Trail system. And Mr. Chrisman stated we are now also a part of the Appalachian Trail Community. Commissioner Gail Kyle mentioned adding the renovation of the Historic African American School House on the east end of town. Mr. Chrisman mentioned adding things adjacent to Luray. Places you may come here to see, while you stay in Luray and shop in Luray, the recreational resources that you are here for (Shenandoah River, Shenandoah National Park, George Washington National Forest, Luray Caverns) are components that have not been talked about in the plan. As a recreational community and especially with the four season activities we are trying to promote, we need to expand on them in this section. Commissioner John Shaffer stated the importance of talking about Shenandoah National Park given its role in our community. He also thought we should mention the Shenandoah National Park Headquarters, which Mr. Chrisman added is a historical structure. The use of a drone to capture a different perspective of certain aspects of the town and community was discussed.

Other Business

There being no further business, the meeting adjourned at 8:38 p.m.

Bryan T. Chrisman
Acting Town Manager

ATTEST: _____
Prepared by: Brooke Newman
Planning & Zoning Administrative Assistant