

**REGULAR MEETING OF  
LURAY PLANNING COMMISSION  
October 11, 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  
Grace Nowak  
Gail Kyle  
Brian Sours  
Tracie Dickson

Absent:

John Shaffer

Others Present:

Bryan Chrisman, Acting Town Manager  
Brooke Newman, Planning & Zoning Administrative Assistant

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 Grace Nowak made the motion to accept the minutes from the September 13, 2017 regular Planning Commission meeting; seconded by Commissioner Tracie Dickson.

YEA: Commissioners Nowak, Kyle, Sours, Dickson, Chairman Good **Approved 5-0**

**UPDATES AND DISCUSSIONS**

**A. Comprehensive Plan 2018- Chapters 4, 5, & 6**

Mr. Chrisman informed the commission that he and Brooke Newman will be doing an independent staff review and making comments on the comprehensive plan revision in addition to the review and comments the commission will be doing. He and Brooke will be meeting with the regional commission on Thursday, October 12, 2017 and asking them to assist in certain portions of the updates to the comprehensive plan including some of the mapping components. Alex Seal assisted in putting together the 2013 comprehensive plan, he is still available and willing to assist us again. We have a good structure and good format for chapters. This does not restrict us from making changes to the structure and sequence. Nor does this restrict us from adding, subtracting and amending chapters to capture the information the commission thinks is important. Ronald Good requested we obtain comprehensive plans from other localities and Mr. Chrisman's response was that we would ask the regional commission to provide comprehensive plans they have worked on.

Our web site designer has recommended a professional photographer and they will be coming throughout the next three seasons to collect seasonal pictures in and around Luray. We will then have high resolution pictures we can use for the website as marketing tools and for the comp plan. It has been recommended that if there are private photos someone thinks will meet our needs, and that are high resolution, we can obtain copy right permission and give them photographic credit for that picture. The pictures used must really capture the essence of one or more of the chapters in the comp plan. We may set up a high resolution community photo bank where people can make photo donations and by doing so the header will say- by placing this photo here you are giving the town permission to use and replicate this photo provided that we give you photographic credit. This will help keep the comp plan updated and different than the previous plan.

Grace Nowak made reference to page 13 regarding the previous meeting where it was discussed we take the Bicentennial paragraph and pictures out. She suggested that a picture and a paragraph of the chimney monument be inserted in that section. Mr. Chrisman responded that there have been several significant events that have occurred since the 2013 plan was adopted that they may also consider adding to the plan as well. He recommended that the zoning map be made an 11 by 17 folded copy that can be extended out to give a larger scale and have more detail. One thing to consider would be to put an overall map of the town in the plan. Maps and pictures can be placed in a pocket in the rear of the plan.

#### Section 4: Economy & Employment

Mr. Chrisman informed the commission that some statistics and data will be coming from the US Census, Regional Commission, and the Tourism Corporation. They gather the statistics on a monthly basis and they provide the statistics for free. Until we get these statistics in for the most recent period which will not be until 2020, two years after the comp plan is completed, our census data will be the old data with the amendments that the US Census and Department of Bureau Statistics can provide us.

#### Section 5: Population & Growth

Mr. Chrisman stated the projection for growth has been relatively low over Luray's history especially over the last 50 years. In the future version, he recommended the commission consider including full page graphs for the more important information. Being larger would make them more legible. Other supportive data could be referenced in the appendix with additional graphs and data. The commission agreed the graphs are difficult to read due to their size and color schemes. Mr. Chrisman stated the important thing will be picking the right style of graph for the data, the language that knits the graphic displays together and the chapter summaries. The summaries might need to include the message for our planning horizon and tying the whole section together.

Grace Nowak referenced section four and inquired if we can mention all the new businesses that have opened. Mr. Chrisman stated that business come and go, so listing them in a document that is designed to last 5-20 years may not be the best way to reference that information. The thing to do might be to talk about the number of business that have opened verses the businesses that have closed or the numbers as they compare to previous data. He added that the chamber would be a

good resource for that information. This would be good information to put in the economic section where it talks about business growth. The enterprise zone wasn't in place at the time this comp plan was crafted, so that zone would need to be included. He also stated we hope to have a tourism zone in place by the time this comp plan gets formulated. If so, this could encourage other communities to continue those kinds of incentives.

#### Section 6: Boundaries, Land Use & Zoning

Mr. Chrisman stated that this information would come from the maps of the town. In this section, there will be a breakdown of the percentage of land use. One thing that speaks volumes in most comp plans is not just what the current zoning is, but where your zoning came from. Which direction are people moving? Are they moving from residential zoning items to business zoned items and where is the trend?

Mr. Chrisman also talked about the section summaries and whether to put one at the end or to consider making an executive summary and putting it at the beginning of each section. This summary would provide a message of how the commission feels about the data that is contained within that section through the planning horizon.

#### Notes/Comments for future PC topics:

Mr. Chrisman talked about taking a look at split zoned lots. For example if you take a look at R5, it's scattered throughout the town. The number of zonings would not increase but the square footage of land that would be taken out of split zoning and put into single zoning would be significantly different. It would be a good goal to take a look at those areas and update the map for the comp plan.

Gail Kyle then mentioned that more towns are using the split zoning as a way to have apartments above the stores. Mr. Chrisman stated that this is known as mixed-use development and we have a by-right use in B1 of mixed development. This provides a mix of commercial and residential aspects within the commercial district. It is a way to help revitalize the downtown areas.

Mr. Chrisman mentioned that another topic will be agricultural uses in the residential areas. Tall grass issues and livestock issues are being brought to the town's attention. The town is looking into exemptions that the state code allows. Other things to consider would be if there is ever an interruption in agriculture service for a period of time, whether or not you are able to bring back the agricultural use. There is a difference in the state code about leasing the land and owning the land. More research is being done on this topic and it will be brought before the commission in the future.

Mr. Chrisman referenced existing land use patterns and that matching land use to the zoning is something to work toward. It is important to look at where the trends are for zoning and rezoning in Luray. It will tell us where people's thought processes are moving, and where they want to take their land in terms of use.

## **B. Review of Draft Ordinances and Advertisements**

Mr. Chrisman mentioned the town had been working on some issues with the ordinances that need to be updated to address some operational and enforcement concerns or just clarification for users. The town council took a look at these three being presented tonight, which will be going through the commission along with three others that do not pertain to planning and zoning issues and they had some comments. The three to be discussed are lodging houses, accessory building being a by-right use in B1 districts, and yard sale, garage sales and other similar activities.

Mr. Chrisman spoke on the following draft ordinances:

Yard sales – He mentioned the town attorney felt that use of a residential property is close to land use and should go through the planning commission and have a public hearing. The clarification will be taking out the fee and the implication that you could have more than two yard sales in a twelve month period. This was causing some confusion for the police department who issues those permits. The fee is not important, they want to make sure residents are not setting up continuous yards sales and causing parking issues or other problems in residential areas. The ordinance would state there is no fee, no more than two yard sales will be permitted within a calendar year per physical address, no sales shall last longer than three consecutive days which takes into account three day holiday weekends, the posting of signs conform to Article VIII of Appendix A which is the sign ordinance and it will allow small four square foot signs to be put up on your property.

In regards to accessory building as a by-right in B1, he mentioned there are no setbacks in B1 for primary structures, therefore there are no setbacks for accessory structures. The town does recommended that applicants keep primary and accessory structures at least one foot off their property line.

## **C. Luray Landing – Land Use for Non-Profit Organization**

Mr. Chrisman reminded the commission that the council approved the rezoning of the LFCC parcel and the rezoning of the four lots from PND to B1 with the condition that Baker Development had to enter into a signed agreement with property owner Mr. Hyltoft dealing with the buffering around Mr. Hyltoft's lot. They did not address Mr. Good's lot. We are still waiting on this agreement to take place in order to adjust the boundary lines. Baker Development has now asked that we consider another three acre parcel be donated to a nonprofit organization such as the town rescue squad. They would like some suggestions from the town on groups they can make that donation to. Mr. Chrisman mentioned he did remind the developer of the planning commission and councils conversations that took place previously. That they approved this rezoning, but commission and council recommended Baker reevaluate their master land use plan for the whole development before they do anything else. Mr. Chrisman discussed the issue of having only one way out of the development which is a private access road owned by Walmart Cooperation which is being leased by the other businesses. General Drive and Allison Drive are not even in the town's road maintenance system, and have never been formally dedicated to the town as public streets. Tracie Dickson mentioned this is a good reason why it would not work for a rescue squad. Gail Kyle and Mr. Chrisman mentioned they do have access to Cave Hill Road, but it has not been constructed

yet. Gail Kyle inquired as to why they do not revise the master use plan. Mr. Chrisman stated they can revise the master use plan and incorporate some of these ideas into that plan but the biggest thing they need to address is the transportation plan. The transportation plan is a problem when it comes to selling the land. He stated the original master use plan for transportation studies allowed for entrances at Cave Hill Road, Westlu Drive and the new Airport Road. Tracie Dickson mentioned she thinks it was a good decision to allow the changes made so far. However, she agrees a transportation plan needs to be in place before any other changes are approved.

### **Action Items**

Lodging Houses- Zoning Districts, SUP & By-Right:

Lodging Houses are a by-right use in the B1 district. The focal point of this draft ordinance and the action item is if lodging houses should be allowed in other districts other than B1 and if so which ones and within those districts should it be a by-right use or special use? Ronald Good questioned being able to set restrictions on the number of bedrooms. Gail Kyle reminded the commission is was decided you could not set restrictions. Mr. Chrisman stated the occupancy of the dwelling is regulated by the building official. The occupancy of a bed and breakfast, motel or hotel is regulated by the department of health. We can require them to obtain a business license, collect and pay lodging tax and we can pick where they go in terms of zoning in our locality. We can also pick the process by which they can be in those districts, which is the difference between by-right or special use. Tracie Dickson referenced the previous commission minutes and the primary question regarding the lodging houses was whether or not to allow them by special use in the R2 district. Mr. Chrisman stated he was going to recommend to Jason Botkins, the town attorney, to put the business license and lodging tax requirements into the ordinance and that he not list it as a use in M1. Everything is by special use in the M1 district. By making it a special use process, you can attach conditions such as following the town's noise ordinance, off street parking requirements, occupancy and the commission and council can add any other special conditions to the special use permit. The planning and zoning department is able to inquire on its application; how many rooms are available, and how many parking spaces are available. The commission reviewed the town map and the locations of the R2 district. It was agreed adjustments to the ordinance would be that lodging houses be allowed by a special use permit in the R2, R3, R4, R5, PND and M1.

**Motion:** The commission voted to advance to advertisement with the adjustments to the draft ordinance recommended by the commission.

YEA: Commissioners Dickson, Sours, Kyle

NAY: Chairman Good, Commissioner Nowak

**Approved 3-2**

### **Other Business**

There being no further business, the meeting adjourned at 9:30 p.m.

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Bryan T. Chrisman  
Acting Town Manager

ATTEST: \_\_\_\_\_  
Prepared by: Brooke Newman  
Planning & Zoning Administrative Assistant

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