

Town of Luray

Planning Commission Agenda

January 15, 2020
7:00 P.M.

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Review of Minutes Meeting December 11, 2019**
- 5. Citizen Comments**
- 6. Public Hearing**
 - A. Alley Vacation - 19-6 – 600 7th Avenue**
- 7. Updates & Discussions**
 - A. Code Amendment – Chapter 704 – Satisfaction of applicable Fees, Charges, Expenses, & Liens**
 - B. Code Amendment - Urban Agriculture**
 - C. Code Amendment - Artisan Manufacturing**
 - D. Zoning Ordinance Amendments**
- 8. Chairman's Announcements**
- 9. Adjournment**

Town of Luray
PO Box 629
45 East Main Street
Luray, VA 22835
www.townofluray.com
540.743.5511



PLANNING COMMISSION

Chairman

Ronald Good

meado12@aol.com

Appointed By
Councilman Ron Vickers
Term Ends: 12-31-2022

Commission Members

Tracie Dickson

tdickson@bbandt.com

Appointed By
Councilman Jerry Dofflemyer
Term Ends: 12-31-2022

John Shaffer

john.shaffer@luraycaverns.com

Appointed By
Councilman Jerry Schiro
Term Ends: 12-31-2022

Bill Huffman

bill.huffman@luraycaverns.com

Appointed By
Council President Leroy Lancaster
Term Ends: 12-31-2020

Brian Sours

brian@richardsbus.com

Appointed By
Councilman Joey Sours
Term Ends: 12-31-2020

Frankie Seaward

frankieseaward@gmail.com

Appointed By
Councilwoman Leah Pence
Term Ends: 12-31-2020

Grace Nowak

gracenowak04@gmail.com

Appointed By
Mayor Barry Presgraves
Term Ends: 12-31-2020

Town Officials:

Town Manager – Steve Burke
Assistant Town Manager- Bryan Chrisman
Town Clerk/ Treasurer- Mary Broyles
Deputy Town Clerk/ Treasurer- Danielle Babb
Planning & Zoning Assistant – Dawn Shores
Chief of Police- Bow Cook
Superintendent of Public Works- Lynn Mathews
Parks & Recreation Director- Dakota McCoy
Parks & Rec Assistant Director- Morgan Housden
WTP Superintendent- Joey Haddock
WWTP Superintendent- Tom Brown

Commissions & Committees:

Luray Planning Commission
Luray-Page County Airport Commission
Luray Tree and Beautification Committee
Luray Board of Zoning Appeals
Luray Downtown Initiative
Luray-Page County Chamber of Commerce

**REGULAR MEETING OF
LURAY PLANNING COMMISSION
December 11, 2019**

The Luray Planning Commission met on Wednesday, December 11, 2019 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
Brian Sours
Tracie Dickson
Bill Huffman
Frankie Seaward

Commissioners Absent:

John Shaffer

Others Present:

Steve Burke, Town Manager
Bryan Chrisman, Assistant Town Manager

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

APPROVAL OF MINUTES:

Motion: Commissioner Sours made the motion to accept the minutes from the October 16th Meeting. Second was by Commissioner Nowak.

YEA: Chairman Ronald Good, Commissioners Grace Nowak, Brian Sours, Tracie Dickson, Bill Huffman, Frankie Seaward.

Approved 6-0

CITIZEN COMMENTS

No citizens spoke

PUBLIC HEARINGS

No Public Hearings.

UPDATES & DISCUSSIONS

A. Alley Vacation- 19-6-600 7th Avenue

Steve Burke stated that we received request from Allen L. Louderback to vacate the alley adjacent to lots he purchased off of 7th Avenue. We sent a letter to the adjoining property owner to see if there is any interest in obtaining any part of the Alley. We will be advertising for public hearing in January. Mr. Louderback is looking to develop the parcels in the future and just seeking additional property. Chairman Good stated why would the 20-foot Alley Way be important. Commissioner Seaward asked if it would add to his property. Mr. Burke stated

it would or would be split between Mr. Carroll's property. Mr. Carroll stated he has no desire for the vacation to move forward. Chairman Good confirmed that a public hearing will be in January and welcomed Mr. Carroll to attend and state his reasons.

B. Urban Agriculture Concerns

Steve Burke to have Planning Commission to discuss critters in Town. We received a call this week that someone has inquired about a horse. Our code does not prohibit any animals outside of pigs within the Town limits and only have recourse for a nuisance. We want to develop a code specific to non-domesticated animals. on their property. stated that the County has received a request for an underground dwelling. We are looking to set the acreage size to determine what non domesticated animals are permitted or not permitted. Steve Burke also brought to Commissioners attention that the County is looking to bring to the county industrial hemp. When it grows it does have a particular odor. The Planning Commission also will want to evaluate industrial hemp permitted within the Town limits.

C. Zoning Ordinance Amendments

Steve Burke notified the Commissioners the town attorney has a few issues that had come up for some of the Amendments. Hotels are currently identified having 14 people. The Town Attorney recommendation is to expand the Bed and Breakfast up to 13 people, six room so, there is a clear definition for residence for B&B or hotel. Also, revisions would eliminate onsite residence and meals provisions in R3, R4 and R5 Districts and include septic lot sizes in R4 and R5. The Attorney has also come up with accessory structure requirement in flood plain regulations. FEMA has recently updated their regulations and the attorney will review these regulations to conform with FEMA. He will also review temporary site regulations.

Steve Burke said that State and Page County is trying to promote Artisans, small scale manufacturing within the Commercial District. This does not fit under the current Commercial Definitions of our Code Ordinance. We want to add to the definition to make it as clear as possible for commercial uses. The Town Attorney is currently working on the definitions and ordinances and we will present to the Planning Commission for discussion in January and are hopefully looking for a public hearing in February.

CHAIRMAN'S ANNOUNCEMENTS

Chairman Good stated next Commission Meeting will be on January 15, 2020.

ADJORNMENT

There being no further business, the meeting adjourned at 7:39 p.m.

Steven Burke
Town Manager

Dawn M. Shores
Planning/Zoning Assistant



Town of Luray, Virginia
Planning Commission Agenda Statement

Item No: VI-A

Meeting Date: January 15, 2020

Agenda Item: PLANNING COMMISSION PUBLIC HEARING & CONSIDERATION
Item VI-A – Alley Vacation – Seventh Avenue & Sixth Street

Summary: The Planning Commission is requested to conduct a Public Hearing to receive public comment and to consider an Alley Vacation Request submitted by Allen Louderback for the alley that is located behind his parcels (Tax Map Nos. 42A12-3-60 – 1 to 8 located near Sixth Street and Seventh Avenue.

The Town has notified the other adjacent property owner who does not support the requested vacation.

Commission Review: December 11, 2019

Fiscal Impact: N/A

Suggested Motion: I move that the Planning Commission recommend Town Council approve/deny the Alley Vacation Request submitted by Allen Louderback.



Town of Luray
Zoning Permit Application
 Application No.: 19-6

I, as owner or authorized agent for the property described below, do hereby certify that I have the authority to make this application for a Zoning Permit for the activity described below and as show on any attached plans or specifications, that the information provided is correct and that any construction/use will conform to the regulations of the Town's *Zoning Ordinance* and other codes of the Town of Luray, County of Page, and Commonwealth of Virginia, as applicable. This permit application authorizes the Zoning Administrator or designee to perform reasonable site inspections as required to confirm information provided and compliance with the conditions applicable to this permit. Further I understand that any deviation from the application as requested shall require the express written approval of the Zoning Administrator.

Application: Site Development Property Subdivision Boundary Line Adjustment
 Rezoning Special Use Permit Zoning Variance

Applicant Information:

Applicant Name ALLEN L. LOUDERBACK
 Company Name LOUDERBACK ENTERPRISES, LLC
 Address 1131 OLD FARMS RD LURAY, VA. 22835
 Phone: _____ Email: _____

Property Owner Information:

Owner Name ALLEN L. LOUDERBACK (LOUDERBACK ENTERPRISES, LLC)
 Address 1131 OLD FARMS RD LURAY, VA. 22835
 Phone: _____ Email: _____

Property Information:

Site Address 600 7th AVENUE LURAY
 Page County Tax Map Number 42A12(3)(60) 1-8 Town Zoning District R24

Request Information:

Nature of Request (Describe Fully) _____
WE ARE ASKING THAT THE ALLEY ADJACENT TO
TAX MAP # 42A12(3)(60) 1-8 BE ABANDONED AND JOINED TO
SAID TAX MAP # MENTIONED ABOVE

See Appropriate Application Appendix for Additional Information Required with Your Application

Allen L. Louderback
 Signature of Applicant

11/14/19
 Date



Town of Luray
Zoning – Boundary Line Adjustment
Application No.: _____

Please provide a survey plat prepared by a licensed surveyor by the Commonwealth of Virginia with this application.

Surveyor Information:

Surveyor Name DARRIN W. RICHARDS
Company Name RACEY ENGINEERING
Surveyor VA Lic No.: 3347 Exp. Date: _____

Parcel Information:

Original Page County Tax Map Number(s) & Lot Sizes (sf/ac) TAX MAP# 42A12(3) (60) 1-8
EACH LOT IS 50' X 140' 7000 SQUARE FEET TOTAL 8 LOTS
56,000 SQUARE FEET TOTAL

Proposed Tax Map Number(s) & Lot Sizes (sf/ac) _____

Comments/Notes (Reason for BLA) _____

I hereby certify that the information provided on this application is correct and meets all Town, County, and Commonwealth requirements, and further attest that all required permitting will be received prior to commencing construction. (See Article II, Section 209 of Luray Code of Ordinances, townofluray.com)

Allen D. Souderback
Signature of Applicant

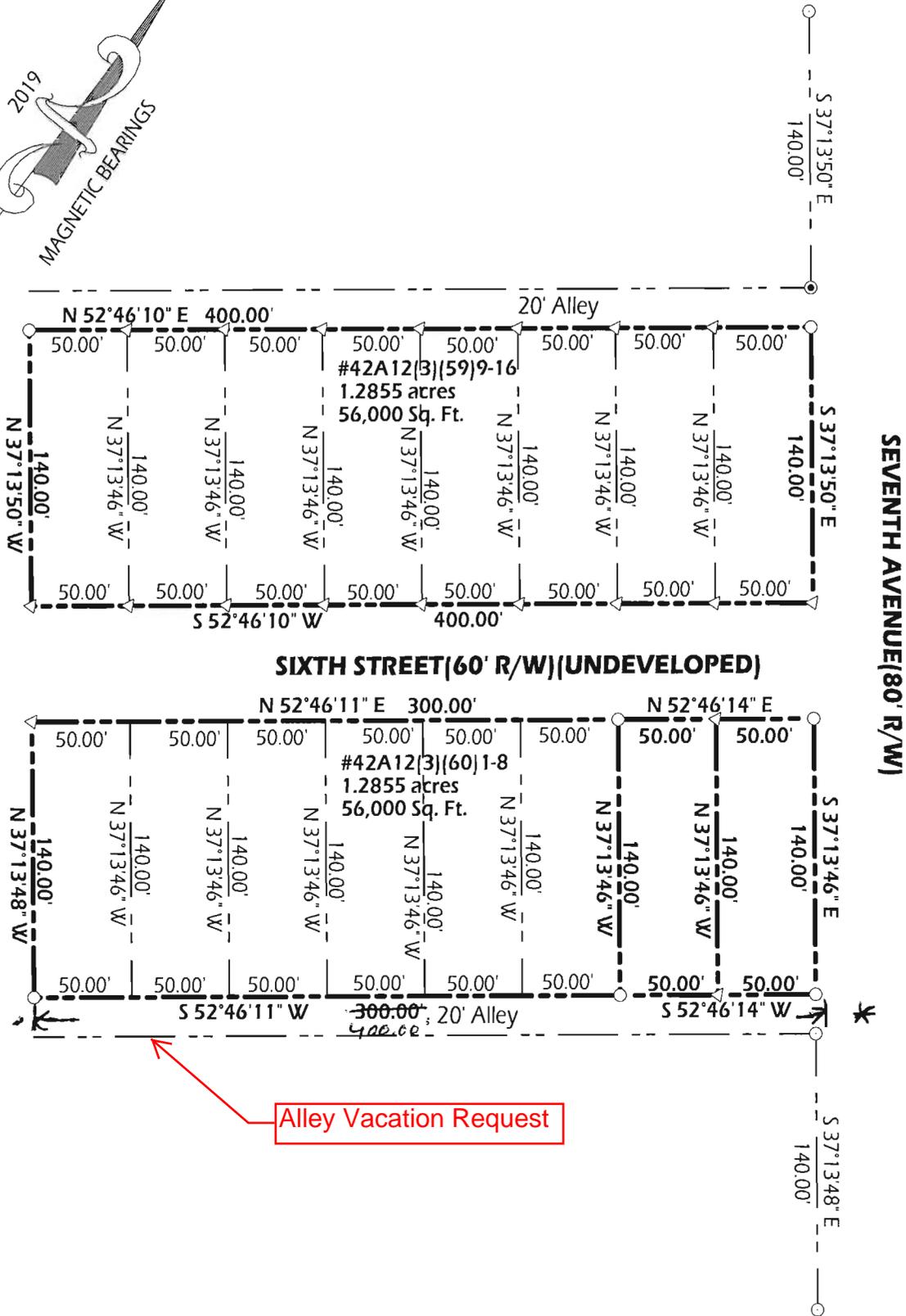
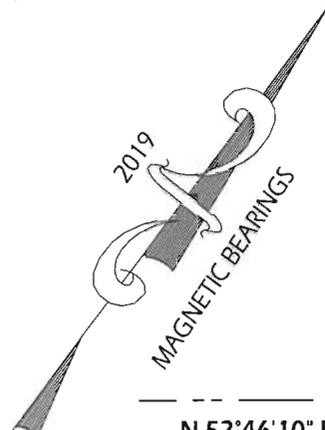
11/14/19
Date

Please provide a 3” high by 5” wide area on the survey plat for the Town’s approval stamp

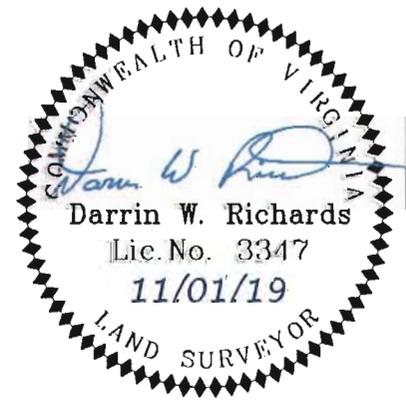
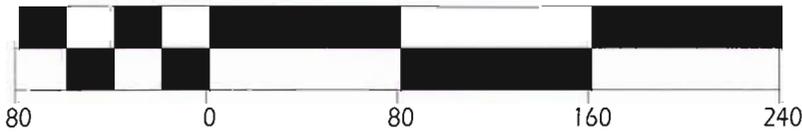
The applicant shall record the plat in the Page County Clerk of Circuit Court’s office within six (6) months of approval, and a copy of the recorded plat and receipt shall be provided to the Town Zoning Administrator. Any plat not recorded within the six month time shall be deemed null and void.

1. Easements, if any, not shown. No title report furnished.
2. No flood information given or determined for this parcel.
3. Boundary derived from an actual field survey and Deeds of Record as found among the Land Records of Page County, Virginia, as shown hereon.
- 4 Property Zoned: R-4

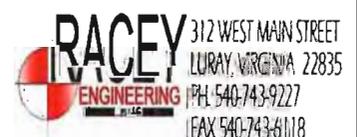
- Legend
- - Iron Pin Found
 - - Iron Pipe Found
 - △ - Point
 - - Iron Pin or Nail Set



Scale 1"=80'



BOUNDARY SURVEY PLAT
Properties of
"LOUDERBACK ENTERPRISES, LLC"
Instrument#20190002438
Tax Map# 42A12 (3) (59) 9-16 & #42A12 (3) (60) 1-8
Town of Luray
Page County, Virginia
Scale 1"=80'
2.5710 Acres or 112,000 Sq. Ft.
November 1, 2019



Racey Job#7343



Town of Luray

45 East Main Street
P.O. Box 629
Luray, Virginia 22835

Steven Burke, PE
Town Manager
sburke@townofluray.com

November 14, 2019

Carroll Christopher Ryan
605 Luray Ave
Luray, VA 22835

RE: Intention to Vacate 20' Alley Way

Ms. Ryan:

The Town of Luray has received a request from Allen L. Louderback located at 600 Seventh Ave. to vacate a 20' Alley Way which is adjoining eight of your properties.

Please contact me at (540) 743-5511 should you have any interest in obtaining any part of this 20' Alley Way or would like to provide any comments about this request.

Sincerely,

Dawn M. Shores
Planning and Zoning Assistant

cc: Steve Burke, PE, Town Manager
Bryan Chrisman, Assistant Town Manager

November 21, 2019

Dawn M. Shores
Town of Luray
45 East Main Street
Luray, VA 22835

Dear Ms. Shores,

Per our phone conversation of November 20, 2019 regarding your letter of November 14th related to the town's intention to vacate the 20 foot alley way that adjoins 8 of my properties, I would like to go on record as opposing the vacating of that land.

This provides much needed access to my eight lots mentioned in your letter as well as other property I own in that area.

Sincerely,

A handwritten signature in black ink that reads "C. Ryan Carroll". The signature is written in a cursive style with a large, stylized "C" at the beginning.

C. Ryan Carroll
605 Luray Avenue
Luray, VA 22835



Town of Luray, Virginia
Planning Commission Agenda Statement

Item No: VII-A

Meeting Date: January 15, 2020

Agenda Item: **PLANNING COMMISSION DISCUSSION**
Item VII-A – Code Amendment – Chapter 704 – Satisfaction of applicable fees, charges, expenses, and liens

Summary: The Planning Commission is requested to discuss a draft Code Amendment to Chapter 704 to include reference delinquent real estate taxes, nuisance charges, and other liens and conform to current state Code. As drafted, applicants for special use permits, variances, and rezoning permits from the Town will need to address any outstanding payment due to the Town prior to approval of the permit.

Commission Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A (Public Hearing to be scheduled in February)

704. – Satisfaction of applicable fees, charges, ~~and~~ expenses, and liens.

~~The governing body shall establish, by resolution, a schedule of fees, charges, and expenses and collection procedures for zoning permits, certificates of use and occupancy, special permits, variances, appeals, amendments, and other matters pertaining to this ordinance.~~

~~The schedule of fees shall be available for inspection in the office of the zoning administrator and may be altered or amended by resolution of the governing body.~~

~~Until all application fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.~~

704.1. Fees, charges, and expenses. The town council shall establish, by resolution, a schedule of fees, charges, expenses, and collection procedures for zoning permits, certificates of use and occupancy, special use permits, variances, appeals, amendments, and other matters pertaining to this ordinance. The schedule of fees shall be available for inspection in the office of the zoning administrator and may be amended by resolution of the town council. No action shall be taken on any application or appeal until all application fees, charges, and expenses have been paid in full.

704.2. Delinquent real estate taxes, nuisance charges, and other liens. An application by the owner of the subject property, the owner's agent, or any entity in which the owner holds an ownership interest greater than 50 percent, for a special use permit, variance, rezoning or land disturbing permit, including building permits and erosion and sediment control permits, shall not be approved until satisfactory evidence is presented to the zoning administrator that any delinquent real estate taxes, nuisance charges, and other charges owed to the town and constituting a lien on the subject property have been paid in full.

(Ord. of **M-DD**-2020, § **X**)

State law reference – Code of Virginia, § 15.2-2286(B).



Town of Luray, Virginia
Planning Commission Agenda Statement

Item No: VII-B

Meeting Date: January 15, 2020

Agenda Item: PLANNING COMMISSION DISCUSSION
Item VII-B – Urban Agriculture

Summary: The Planning Commission is requested to discuss the draft Code Amendments regarding urban agriculture in the Town limits.

Commission Review: December 11, 2019

Fiscal Impact: N/A

Suggested Motion: N/A

202. – Specific Terms

AGRICULTURE, URBAN (Urban Agriculture) – An umbrella term that describes a range of food growing practices conducted as an accessory use that may include the raising of crops, horticulture, aquaculture, hydroponics, forestry, gardening, apiculture, and both livestock and fowl keeping, subject to compliance with the regulations of Section 517.

FOWL - Those birds raised for the purpose of meat, egg or feather production, and shall include but not be limited to, chickens, ducks, geese, turkeys, peacocks, guinea hens and pigeons, including homing pigeons.

LIVESTOCK - Those animals raised for the purpose of meat and dairy production, hide or fur production or as draft animals, and shall include but not be limited to cows, horses, donkeys, mules, pigs, sheep.

302. – Zoning Districts

Ag – Agricultural Overlay District to include all Town Limits

517. – Urban Agriculture

A. Prohibitions

No livestock or fowl are allowed in any zoning district within corporate limits, either inside or outside of the residence/accessory structure unless provided by Special Use Permit.

B. By-Right Use

The listed livestock and fowl are allowed provided that they are in a pen/hutch in the side or rear yard only. The livestock and fowl are not allowed to roam free, and the pen is treated as an accessory structure and must meet the needed setbacks for side and rear yards. Parcels must meet the minimum lot areas sizes specified in the Zoning Ordinance.

District	Chickens & Ducks	Rabbits	Bee Hives
R1	Up to 6	Up to 6	2
R2	Up to 5	Up to 5	2
R3	Up to 4	Up to 4	2
R4	Up to 3	Up to 3	1

No Livestock or Fowl Allowed (preferred) or by Special Use Permit Only in R5, PND, B1 (unless a licensed pet retail store), M1

Raising of crops, horticulture, aquaculture, hydroponics, forestry, gardening, silviculture, and apiculture, shall be a by-right agriculture activity in the Town’s Agricultural Overlay District. Per State Code 15.2-2288 the following setback are established.

District	Front Setback (ft)	Rear Setback (ft)	Side Setback (ft)
R1	35	15	10
R2	35	15	10
R3	35	10	5
R4	15	10	5
R5	35	10	5
B1	5	5	5
M1	5	5	5

New Agriculture Activities that are planned in Floodplain (100 Year) areas will be evaluated per the Floodplain Conservation section of the Town Code, and also for potential surface water pollution from ag activities uses and run-off (animal wastes, chemicals, etc.)

No surface water draining to the Chesapeake Bay shall be used to water ag activities unless a state water withdrawal permit is granted. Allowable livestock shall not be able to access surface waters that drain to the Chesapeake Bay

Agriculture Activities on parcels that extend into Page County are suitable for approved ag uses, provided that the portion within the Town of Luray meets Town regulations and requirements.

Agriculture uses must conform to all relevant DEQ, and USDA/VDACS criteria

C. Special Use Permit

A Special Use Permit shall be required for the keeping of livestock and fowl in association with urban agriculture. Provisions of the Special Use Permit shall include a management plan that adequately address waste disposal, site suitability, setbacks, animal density, odor control, noise control, appearance and maintenance.

Animal breeding operations and aquaculture operations are considered a business and must comply with Business License and Zoning regulations.

Suggested limits:

For tracts 3 -5 acres in size - up to four (4) sheep, two (2) horses/donkeys/mules or up to three (3) cows (no bulls).

For tracts 5 – 10 acres in size - up to six (6) sheep, three (3) horses/donkeys/mules or up to five (5) cows (no bulls).

For tracts larger than 10 acres - up to eight (8) sheep, five (5) horses/donkeys/mules or up to eight (8) cows and a maximum of one (1) bull. For each five (5) acres above 15 acres, the applicant may request up to an additional three (3) horses or five (5) cows. No additional bulls are permitted.

For tracts larger than 20 acres – up to four (4) pigs per acre.

No tract inside the corporate limits shall have more than ten (10) horses or twenty (20) cattle and one (1) bull, regardless of tract size.

The keeping of miniature horses/ponies or cattle shall NOT constitute an increase in numbers.

Large tracts that extend into the county shall either meet these livestock and fowl limits for the total parcel, or have the parcel cross-fenced at the Town Corporate Limit to meet these animal limits.



Town of Luray, Virginia
Planning Commission Agenda Statement

Item No: VII-C

Meeting Date: January 15, 2020

Agenda Item: PLANNING COMMISSION DISCUSSION
Item VII-C – Code Amendment – Artisan Manufacturing

Summary: The Planning Commission is requested to discuss the draft Code Amendments regarding artisan manufacturing in the Business District.

Commission Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A

Artisan Small Scale Production/Manufacturing

Article II – Definitions

202 – Specific Terms

Artisan Food & Beverage: Small scale production or preparation of food or beverage made on site with limited to no automated processes involved an may include direct sales to or consumption by consumers. This definition includes uses such as small-batch bakeries, microbreweries as regulated by the Commonwealth of Virginia, artisan distilleries as regulated by the Commonwealth of Virginia, small-batch candy shops, and local cheese makers.

Artisan Manufacturing: Application, teaching, making, or fabrication of crafts or products by an artist, artisan, or craftsperson either by hand or with minimal automation and may include direct sales to consumers. This definition includes uses that employ activities and processes such as small-scale fabrication, welding, and coating, that are typically not permitted in non-industrial zoning districts.

Microbrewery: An establishment which produces and sells beer on premise in conjunction with food. A microbrewery may produce up to ~~200,000 gallons~~ 15,000 barrels in any given 12-month period; such operations are required to adhere to all relevant local, state and federal regulations.

406 Business District B-1

406.1.bb. Artisan Food & Beverage – Maximum size of individual production establishment is 2,000 square feet of gross floor area per establishment.

406.1.cc. Artisan Manufacturing – Maximum size of individual production establishment is 4,000 square feet of gross floor area per establishment.

Intended Business

- Breweries & Distilleries
- Food Production – Coffee Roasters, Popcorn, Bakery, Confectionaries
- Apparel
- Furniture
- Sporting Goods
- Jewelry/Watches
- Artisans/Crafters
- Personal Hygiene/Makeup – Soap, Makeup
- Glass Blowing
- 3-D Printing



Town of Luray, Virginia
Planning Commission Agenda Statement

Item No: VII-D

Meeting Date: January 15, 2020

Agenda Item: PLANNING COMMISSION DISCUSSION
Item VII-D – Code Amendment – Appendix A - Zoning

Summary: Planning Commission conducted a Public Hearing on the draft Amendments at the October 16th Meeting with no citizens providing comment.

The Town Attorney has identified a few items that require reconsideration by the Planning Commission to provide improved Code language. The issues include:

- A. Consideration of B&B capacity to 12 people (6 rooms) and hotel capacity to 13 people so that a defined break of use exists. The “Lodging Home” option bridges the gap between a B&B and a hotel currently.
- B. Eliminate the onsite owner residency and meal provision requirements in R-3, R-4, R-5, and B-1 districts.
- C. Include septic lot size requirements in R-4 and R-5 districts.
- D. Include Accessory Structure Requirements in Floodplain regulations
- E. Allow Town Attorney to confirm compliance of Floodplain regulations with recently updated FEMA regulations.
- F. Review Temporary Sign regulations

Review of Draft Floodplain regulations has to be reviewed and approved by FEMA.

Commission Review: October 16 & December 11 2019

Fiscal Impact: N/A

Suggested Motion: N/A