

**LURAY PLANNING COMMISSION WORK SESSION
JULY 16, 2008**

The Luray Planning Commission met for a Work Session on Wednesday, July 16, 2008, at 7:00 p.m. The meeting was held in the Luray Town Council Chambers at 45 East Main Street, Luray, Virginia. Chairman Tom Potts presided and opened the meeting.

Commissioners Present:

Tom Potts
Clifton Campbell
Sam McNeely
John Meaney
Mary Menefee

Absent: Peyton Baughan
Larry Hakel

Others Present:

Bryan Chrisman, Assistant Town Manager
Ligon Webb, Town Planner
Jason Spitler, Town Attorney

Chairman Tom Potts called the meeting to order at 7:00 p.m. and everyone joined in the Pledge of Allegiance to the flag.

Ligon Webb opened the meeting by stating that he wanted to call a quick meeting before next week to review the public hearings. He thanked everyone for attending, especially the new members Mary Menefee and John Meaney. Mary was appointed by Mayor Barry Presgraves, and John was appointed by Jerry Schiro.

Review of Items on the Planning Commission's Agenda for July 23, 2008

- **SUP08-2, Rivers West Bar-B-Q/Richard Rutherford**

They have been operating temporarily while applying for a Special Use Permit. They want to operate between March 1 through November 1 as stated in their proffer statement. The applicant has given the Town a site plan and a proffer statement. He has done everything that he needs to do for the Department of Health and the building official.

Commissioner Campbell asked if he had put in water, and Mr. Chrisman responded that both the health department and building official had issued permits without the usual permanent water, sewer and electrical connections, and he is not sure why. Commissioner Campbell stated the use is questionable since it is also a trailer, and our ordinance doesn't allow trailers. Mr. Webb stated that is an issue that he will have the Town Attorney look into. Commissioner Campbell stated if it's going to be permanent,

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it's not temporary. Mr. Webb stated he is planning on cleaning the site up and moving it each night.

- **SUP08-3, Ronnie Jenkins & Chris Avery**

Ronnie Jenkins and Chris Avery have a parcel on E. Main Street at the corner of Brumback. It used to have an old house on it and they tore it down. It is zoned B-1 but they want to put two single-family homes on it. They came in about a year and a half ago and wanted to put five townhouses there and it was denied and they are back now with two single-family homes. They are proposing to use the same proffer statement they gave back then. They are proposing to use the R-3 setbacks to match the neighborhood. He has sent letters out to the neighborhood and talked to people in the neighborhood and they are comfortable with what they are requesting. They weren't very comfortable with five townhouses but the two single-family homes seems to be OK with everyone and he thinks it is a good use of the land.

OTHER:

- **Election of Chair and Vice-Chair for term ending June 30, 2009**
- **Review of proposed ordinance amendment: Limiting the size of accessory buildings (detached garages, sheds, etc.)**

This has come up several times in the last few months. When it comes to a detached garage or accessory building, the Town Code states as long as you can meet the setbacks of your zoning district, like an R-3, you have to be 5 feet off your property line for a shed. It also says you cannot exceed the height of your house as far as the height. Other than that there are no requirements. Mr. Webb is proposing additional guidelines, such as a maximum size of the building or a maximum number of buildings. Commissioner Campbell suggested basing it on a percentage of the square footage of the lot. Larger uses would require a variance. Mr. Webb stated he did limit the draft to one accessory building per each property. Commissioner Potts asked one garage and one shed? Mr. Webb stated one accessory structure which could include a detached garage or a shed; you can' have both. This is for new permits, not people who already have them. Commissioner Menefee asked if you have a huge piece of property, shouldn't you be able to build a detached garage and a shed. Mr. Webb stated he could also bring that model back to the Commission where both buildings could be allowable so long as the total percentage of coverage did not exceed the maximum allowed.

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Mr. Spitler asked if this ordinance amendment only applied to residential property, and Mr. Webb said yes. Commissioner Campbell asked about how this might impact the subdivision or PND ordinances. Mr. Webb stated he could look at the possibilities.

Discussion concerning future items to be studied and reviewed by Planning Commission (from Comprehensive Plan):

- Creation of a B2 zoning district
- Methods for combating blight
- Accessory Dwelling Units (ADUs)
- Other Items?

Mr. Webb stated we are thinking about creating an ordinance that will be more appropriate for the properties or businesses on the US 211 highway, and have an enhanced sign ordinance, landscape ordinance for the highway commercial district.

Mr. Webb stated we have been talking about methods of combating blight. We always seem to come back to the same point every time. Commissioner Potts stated he thought we were making progress on that with how to induce improvements, looking at tax incentives and that sort of thing. What we are doing is looking at different ways of doing it; obtaining the objective of an approved appearance without fighting all the law suits. Some folks on Council say then you are rewarding people for letting their properties run down.

Mr. Webb stated the next one discussed briefly was accessory dwellings. There is a good article in the National Planning magazine about accessory dwellings and their use because of aging populations and parents moving back home and in some cases, kids moving back home. There are quite a few communities looking into it and he will include it in your packet for your information and would like to continue to explore.

Mr. Webb asked if there are any other items the Commission would like to see looked into. Commissioner Potts stated the formal designation of a historic district and preservation and protection of historic properties. Mr. Webb stated we do have a historic district in the town. Commissioner Potts stated there are no regulations in place governing the use within such a district, nor is there any requirement for them to maintain it or to protect it as a historic representation of itself and implementing instructions on preservation of the buildings.

Mr. Chrisman asked Chairman Potts about the need for a definition of short term rental – not proposing to do anything with it, but defining it in the Town Code. Commissioner Potts stated we were talking about defining it so that we had it there.

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Chairman Potts indicated that he wanted staff to continue to research ways to provide tax incentives to help with the blight and preservation issues. Commissioner Campbell stated he had a problem with tax relief and the reason he has a problem is he is paying his taxes and he doesn't want to pay extra for that person to use his money. He doesn't think that is right. Mr. Webb stated that Council has asked the Commission to research and present a concept.

Mr. Webb gave the new members a synopsis on how a public hearing is conducted.

Commissioner Menefee asked what a B-2 district is, and various members explained the gist behind their efforts and vision so far.

Commissioner Potts asked Mr. Webb to set up a field trip to Winchester to review some layouts that conform to the proposed B-2 zoning here in Luray. Mr. Webb said that he will set this up.

There being no further business to come before the Commission, a motion was made by Commissioner McNeely and seconded by Commissioner Campbell to adjourn the meeting. Motion carried.

Respectfully submitted,

Bryan T. Chrisman
Assistant Zoning Administrator

ATTEST:
