

Town of Luray

Planning Commission Agenda

April 10, 2024
7:00 P.M.

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Addition or Deletion of Agenda Items**
- 5. Review of Minutes – March 13, 2024, Meeting**
- 6. General Citizen Comments**
- 7. Public Hearings**
- 8. Updates & Discussions**
 - A. County Planning Comments – Josh Hahn**
 - B. Comprehensive Plan Priorities & Housing Goals**
 - C. Lodging House Recommendation to Council**
- 9. Action Items**
- 10. Commission Comments**
- 11. Chairman’s Comments**
- 12. Adjourn**

The meeting will be live-streamed on the Town’s website and Facebook page.

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: 12-31-2026

Commission Members

Tracie Dickson

tdickson@bbandt.com

Appointed By
Mayor Jerry Dofflemyer
Term Ends: 12-31-2024

Brian Sours

Brian.sours@mybrb.bank

Appointed By
Councilman Joey Sours
Term Ends: 12-31-2024

John Shaffer

john.shaffer@luraycaverns.com

Appointed By
Councilman Alex White
Term Ends: 12-31-2026

Frankie Seaward

frankieseaward@gmail.com

Appointed By
Councilman Ligon Webb
Term Ends: 12-31-2024

Bill Huffman

bill.huffman@luraycaverns.com

Appointed By
Council President Stephanie Lillard
Term Ends: 12-31-2026

Barbie Stombock

barbiestombock@gmail.com

Appointed By
Councilman Jason Pettit
Term Ends: 12-31-2024

Town Officials

Town Manager – Bryan Chrisman
Assistant Town Manager - vacant
Town Clerk/ Treasurer – Danielle Babb
Deputy Town Clerk/ Treasurer - Danielle Alger
Chief of Police - Bow Cook
Superintendent of Public Works - Lynn Mathews
Parks & Recreation Director - Jennifer Jenkins
WTP Superintendent - Joey Haddock
WWTP Superintendent – vacant



Town of Luray, Virginia
Planning Commission Agenda Statement

Item No: IV

Meeting Date: April 10, 2024

Agenda Item: **ADDITION TO, OR DELETION FROM, THE AGENDA**

Suggested Motion:
(If Required)

I move that the Planning Commission add Agenda Item __ to the agenda regarding _____.

OR

I move that the Planning Commission delete Agenda Item __ from the agenda regarding _____ for the reason of _____.



TOWN OF LURAY
Planning Commission
Regular Meeting
April 10, 2024

5. Review of Minutes
March 13, 2024 Meeting

**REGULAR MEETING OF
LURAY PLANNING COMMISSION
March 13, 2024**

The Luray Planning Commission met on Wednesday, March 13, 2024, 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
Frankie Seaward
Barbie Stombock
Brian Sours
Bill Huffman
Tracie Dickson
John Shaffer

Others Present:

Bryan Chrisman, Town Manager
Adil Bach, Vision Technology Group
Joey Haddock, Water Treatment Plant Superintendent
Conrad Colby, 622 W Main Street
Paul Kalinowski, 118 N Court Street

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

ROLL CALL

The roll was called with all members present.

ADDITIONS OR DELETION OF AGENDA

There were no additions or deletions to the agenda.

APPROVAL OF MINUTES

Chairman Good led a review of the February 14th, 2024, meeting minutes.

Motion: Commissioner Sours made the motion to approve the February 14th, 2024, minutes. Motion seconded by Commissioner Seaward with the vote as follows: YEA: Commissioners Good, Seaward, Stombock, Sours, Huffman, Dickson, Shaffer. **Approved 7-0**

PUBLIC HEARING

Zoning Ordinance Amendment

Town Manager, Bryan Chrisman, asked the Commission to review, discuss, and hold a Public Hearing on the proposed Zoning Ordinance Amendment regarding the re-filing timeframe for Town consideration of applications.

The Town Attorney has drafted the proposed Ordinance which is included for Planning Commissions review and discussion. Responses to previous questions from the Commission were provided via email previously.

The Town Council plans to hold a Public Hearing at their April 08, 2024, regular meeting and take action.

Commissioners Stombock stated that it seemed like a long time for an applicant to have to wait. She also inquired if there have been many occurrences for this to be necessary. Mr. Chrisman stated that in the 16 years since he's been with the town he could only recall it happening twice. Commissioner Dixon said that it's discouraging to the applicant and believes we should be supportive of the applicant. Mr. Chrisman stated that the Commission could make recommendations to Council and see if they agree. Ms. Stombock also complimented Mr. Chrisman on his knowledge, skills and ability to handle the zoning department.

Motion: Commissioner Dickson made the motion that the possible proposed Ordinance be recommended to Council for denial for the long waiting period, concern over if the Amendment was needed, and errors and omissions by the Town as noted. Motion seconded by Commissioner Shaffer with the vote as follows: YEA: Commissioners Good, Seaward, Stombock, Sours, Huffman, Dickson, Shaffer. **Approved 7-0**

SUP 24-001 - 118 N. Court Street

Commissioner Good, requested the Commission to conduct a Public Hearing to receive citizen input and to consider a request for a Special Use Permit to operate a Lodging house at 118 N. Court Street (Tax Map No. 42A3-A-127) in the High Density Residential (R-3) Zoning District. The dwelling is approximately 1,344 square feet with three bedrooms and is located on one parcel that is approximately 0.285 acres (12,415 sq ft) in area. A Special Use Permit is required to operate a lodging house in the R3 Zoning District per Town Code Appendix A, Article IV, Section 403.2.g.

A Lodging House is commonly defined as a residential building, other than a hotel, motel, or bed-and-breakfast home, where lodging is provided for compensation on a regular basis, pursuant to previous arrangements, but which is not open to the public or transient guests, for no longer than thirty (30) consecutive days. Meals may be provided to the residents in a central location; however, no provisions shall be made for cooking in individual rooms or units. The

maximum number of guests shall be two per bedroom, with on-site parking for all guests at a rate of one off-street parking space per bedroom.

Staff recommend the following conditions be considered:

- 1) Compliance with Town Code Section 519- Lodging House Regulations
- 2) Guest stay shall not exceed fourteen (14) days
- 3) Special Use Permit shall not transfer upon sale of property or membership interest composition of the holding company

Commissioner Good opened the Public Hearing for discussion. With no one in attendance providing comments, he then closed the hearing.

Mr. Chrisman stated that he received an email in opposition of the Special Use Permit from Melissa Howard who resides at 120 N Court Street. Ms. Howard had a few concerns that she expressed in her email.

Commissioner Good inquired if there was ample parking in the driveway. Mr. Kalinowski, the property owner, stated that yes it was. Mr. Kalinowski also stated that this property is his secondary residence and loves this area. He added that is why he applied for the special use permit so others could enjoy this area while he is at his primary residence.

Town Council will vote on this at their April 8th Council Meeting.

Motion: Commissioner Sours made the motion that the Special Use Permit 24-001 be recommended to Council for approval with the conditions as presented. Motion seconded by Commissioner Dickson with the vote as follows: YEA: Commissioners Good, Seaward, Stombock, Sours, Huffman, Dickson, Shaffer. **Approved 7-0**

SUP 24-002 – 202 Allison Drive

Commissioner Good, requested the Commission to conduct a Public Hearing to receive citizen input and to consider a request for a Special Use Permit to operate a Lodging House at 202 Allison Drive (Tax Map No. 42A17-1-82) in the Planned Neighborhood Development (PND) Zoning District. The dwelling is approximately 0.089 acres (3,877 sq ft) in area. A Special Use Permit is required to operate a lodging house in the PND Zoning District per Town Code Appendix A, Article IV, Section 409.13.D.2.

A Lodging House is commonly defined as a residential building, other than a hotel, motel, or bed-and-breakfast home, where lodging is provided for compensation on a regular basis, pursuant to previous arrangements, but which is not open to the public or transient guests, for no longer than thirty (30) consecutive days. Meals may be provided to the residents in a central location; however, no provisions shall be made for cooking in individual rooms or units. The maximum number of guests shall be two per bedroom, with on-site parking for all guests at a rate of one off-street parking space per bedroom.

Staff recommend the following conditions be considered:

- 1) Compliance with Town Code Section 519 – Lodging House Regulations
- 2) Guests stay shall not exceed fourteen (14) days
- 3) Special Use Permit shall not transfer upon sale of property or membership interest composition of the holding company

Commissioner Stombock inquired about the number of townhomes in Luray Landing. Mr. Chrisman stated that there will be over 200 units once they are all built.

Motion: Commissioner Schaffer made the motion that the Special Use Permit 24-002 be recommended to Council for approval with the conditions as presented. Motion seconded by Commissioner Huffman with the vote as follows: YEA: Commissioners Good, Seaward, Stombock, Sours, Huffman, Dickson, Shaffer. **Approved 7-0**

RZ24-001 – 622 W Main Street

Town Manager, Bryan Chrisman, requested Commission to conduct a Public Hearing to receive citizen input and to consider a request for a Parcel Rezoning from a dual-zone designation (B1/R3) to a single zone designation (B1) for the parcel identified as Tax Map 42A10-A-18 owned by Conrad Alex Colby (applicant).

Rezoning “split-zoned” parcels is beneficial to local government agencies as well as to the owner.

Staff recommend the following conditions be considered:

- 1) Future business site development plans address legal right-of-way and access from the rear of the parcel near the old Right-of-Way for the former Bixler’s Ferry Road.
- 2) Similarly, such future plans address the proper handling of storm water onsite and provisions for on-site parking.
- 3) Due to the slope and grade present, land stabilization techniques need to be employed by the owner to prevent erosion and damage to adjacent parcels.

Mr. Chrisman stated that he met with Mr. Colby on site and believes it would be a good idea to be rezoned as a single parcel. He added that he’s hopeful that the neighboring property will follow suit.

Motion: Commissioner Schaffer motioned that the Rezoning 24-001 be recommended to Council for approval, with the conditions as presented. Motion seconded by Commissioner Stombock with the vote as follows: YEA: Commissioners Good, Seaward, Stombock, Sours, Huffman, Dickson, Shaffer. **Approved 7-0**

UPDATES & DISCUSSIONS

Alley Vacation Request

Town Manager, Bryan Chrisman, asked Commission to review and comment upon a recent alley vacation request that will be addressed by the Council at their April 8, 2024, regular meeting.

The applicant/owner is requesting that the Town vacate any interest they may have to the section of the alley at the rear of his parcels on North Hawksbill Street.

COMMISSION COMMENTS

No comments.

CHAIRMAN'S COMMENTS

No comments.

ADJOURNED

The meeting adjourned at 8:40 p.m.

Bryan Chrisman
Town Manager



TOWN OF LURAY
Planning Commission
Regular Meeting
April 10, 2024

Updates & Discussions
8A. County Planning Comments
Josh Hahn



Town of Luray, Virginia
Planning Commission Agenda Statement

Item No: VIII-A

Meeting Date: April 10, 2024

Agenda Item: PLANNING COMMISSION DISCUSSION
Item VIII-A – County Planning Comments

Summary: The Planning Commission is provided an opportunity to listen to and discuss a variety of comments from County Planning Director, Josh Hahn.

Of particular note will be the ongoing Comprehensive Plan updates and the coordination of land-use planning around the border of the Town's corporate boundary.

Commission Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A



TOWN OF LURAY
Planning Commission
Regular Meeting
April 10, 2024

Updates & Discussions
8B. Comprehensive Plan
Priorities & Housing Goals



Town of Luray, Virginia
Planning Commission Agenda Statement

Item No: VIII-B

Meeting Date: April 10, 2024

Agenda Item: PLANNING COMMISSION DISCUSSION
Item VIII-B – Comprehensive Plan Priorities & Housing Goals

Summary: The Planning Commission is requested to consider compiling a list of the priorities for inclusion and enhancement within the Comp Plan update set to begin later in 2024.

An evaluation of the current plan and its major elements, along with the various categories within each primary chapter will be helpful in setting goals and priorities for the forthcoming update.

Commission members are asked to compile their own personal list of essential topics and issues for assimilation into the framework for the Comprehensive Plan update.

Additionally, the Planning Commission is asked to discuss housing needs and goals for Luray, and to provide recommendations for enhancing housing in Luray.

The Commission should consider the various types of housing available, as well as those that are currently permitted by the Town Ordinance. The Commission should specifically consider how to best influence the availability of housing in Luray, and if modifying certain definitions, or Code sections of the ordinances (Appendix A & B specifically) would assist in the desired changes.

Previously, topics of similar discussion included:

Allowing modular/manufactured homes as a by-right use to increase the availability of smaller, more affordable homes in the R3 and R4 zoning districts.

Consideration of existing and new lot area sizes for new development.

Evaluation of the subdivision ordinance criteria for better planning and development for residential uses.

Evaluating the current setbacks for the various zoning districts and examining the current by-right and special uses for potential changes to encourage more affordable housing.

Commission Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A



TOWN OF LURAY
Planning Commission
Regular Meeting
April 10, 2024

Updates & Discussions
8C. Lodging House
Recommendation to Council



Town of Luray, Virginia

Planning Commission Agenda Statement

Item No: VIII-C

Meeting Date: April 10, 2024

Agenda Item: PLANNING COMMISSION DISCUSSION
Item VIII-C – Lodging Houses (Short-Term Rentals)

Summary: The Planning Commission is requested to formulate and make a recommendation to the Council regarding lodging house regulations, allowances and use in the Town.

The Town Council has referred review of Appendix A – Zoning; Article IV – District Regulations to the Planning Commission to review the appropriate locations for lodging houses within corporate limits. This evaluation is requested to include the appropriateness in denser zoning districts, minimum lot size consideration, and other recommendations to improve the Town’s consideration of future applications. Impacts to surrounding property owners, surrounding property values, and denigration of available long-term rental unit availability were noted.

Recommended Options:

- 1) Consider the definition for any changes
- 2) Consider Chapter 519 for any changes (such as adding typical conditions)
- 3) Consider each zoning district for eligible use (by-right or by SUP)
- 4) Consider each zoning district for in-eligible use
- 5) Request the Town Attorney to review the proposed changes for suitability

Commission Review: Multiple Meetings

Fiscal Impact: N/A

Suggested Motion: Discuss the listed parameters to formulate a recommendation to Council

- Option 1 – Decide to leave things as they are and notify Council
- Option 2 – Make minor changes for review by the Town Attorney
- Option 3 – Make major changes for review by the Town Attorney
- Option 4 – Remove Lodging House as a use in Appendix A

Lodging house: Any structure other than a hotel, motel, apartment house, townhouse, and bed and breakfast home that is routinely rented or otherwise made available for compensation for residential, leisure or vacation usage for periods of 30 days or less.

(Ord. of 5-8-2017, § 1)

519. - Lodging house regulations.

519.1. *General regulations.*

- (a) All lodging houses must comply with the following:
 - (1) Obtaining and maintaining a business license pursuant to chapter 30, article II of this Code unless exempt under state law.
 - (2) Collecting, reporting and remitting transient occupancy tax in accordance with chapter 78, article VI of this Code.
 - (3) Collecting, reporting and remitting meals tax in accordance with chapter 78, article VII of this Code.
- (b) Off-street parking is required for all guest vehicles.
- (c) Insurance coverage is required under a commercial general liability insurance policy, specifically endorsed for use as a lodging house, for a minimum limit of \$500,000.00, from a firm licensed to provide insurance in Virginia. A copy of the certificate of insurance shall be provided with the special use permit application.
- (d) A registry showing names and addresses of occupants and dates rented shall be maintained and made available to the town upon request.
- (e) A summary of applicable town ordinances (to be provided by the town), a copy of the parking plan, trash and waste pickup schedules, if any, emergency telephone numbers, and any additional rules for guests shall be posted in a prominent place.
- (f) One identification sign is permitted on the property not exceeding four square feet on either side.
- (g) No more than one rental transaction may be made for the same time period or any portion thereof.
- (h) Any meals provided shall be served to only overnight guests.

519.2. *Occupancy limitations.*

- (a) A maximum of six overnight guests are permitted.
- (b) The number of overnight guests and invited visitors on the property shall not exceed ten persons at any time.
- (c) At least one overnight guest must be 18 years of age or older.

519.3. *Safety regulations:*

- (a) One working smoke detector shall be installed and maintained for each bedroom in compliance with the provisions of the Uniform Statewide Building Code.
- (b) For properties utilizing propane, a working carbon monoxide detector shall be installed on each floor or level on which guests sleep overnight.

- (c) One working fire extinguisher shall be provided in or near the kitchen, any other area equipped for heating food, and any area which has a flame.
- (d) An updated certificate of occupancy must be obtained and furnished with each special use permit application.
- (e) The equipment required in subsections (a)—(c) shall be maintained in accordance with the manufacturer's recommendations and inspected on a quarterly basis.

519.4. *Prohibited activities.*

- (a) Lodging houses may not be utilized for any use not expressly permitted by the zoning regulations for the zoning district in which the lodging house is located.
- (b) All overnight guests and visitors are forbidden to trespass on the lands or property of another.
- (c) All overnight guests and visitors must comply with the noise ordinance provisions set forth in chapter 58, article I, section 58-5 of this Code, as amended.

519.5. *Enforcement.*

These regulations shall be enforced in accordance with article VII of appendix A of this Code. Repeated violations may result in revocation of the special use permit by the town council.

(Ord. of 2-13-2022)

Editor's note— An Ord. adopted February 13, 2022 set out provisions intended for use as § 518. To avoid duplication these provisions have been included above as § 519.

**Lodging House
Options for Review**

March 7, 2024

Potential Change of Definition:

- 1) Add language indicating that the entire building is rented to one entity at a time
- 2) Classify the use as a business
- 3) Definition must be clearly and firmly distinct from a Bed & Breakfast

Potential Chapter 519 Changes:

- 1) Add maximum number of days per rental to an entity is fourteen (14) days
- 2) Add the language about non-transferability
- 3) Add language concerning a minimum of one (1) off-street vehicle space per bedroom is made available
- 4) Consider adding the maximum number of bedrooms rented is three (3) at two persons per bedroom maximum
- 5) Add the requirements to provide a site plan showing off-street parking and the parcel with its structures. Also, a drawing of the individual floor layouts with rooms labeled. Also, a list of local vendors for after-hours response, maintenance, and cleaning is to be provided with the application.
- 6) Alter item (e) to include the ordinance sections to be posted at the rental for users to see
- 7) Require a copy of the posting placard (ordinances, numbers to call, trash schedule, etc.) to be provided to the Town.
- 8) Consider removing the meals element from the regulations (item h)

Potential Zoning District Changes:

- 1) By right in the B1 district
- 2) Not allowed in the R1, R2, or OSP zoning districts

<u>Zoning District</u>	<u>Allowed By Right</u>	<u>Allowed by SUP</u>	<u>Not Allowed</u>
R3		X	
R4 (High Density, Small Lots)		X	Consider
R5 (Apartments & Townhomes)		X	Consider
PND (High Density, Smaller Setbacks)		X	Consider
M1 (Industrial Uses)		X	Consider