



**PLANNING COMMISSION
Regular Meeting
Cape Charles Civic Center
January 11, 2024**

At 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Regular Meeting of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Bill Ashworth, Paul Grossman, and Michael Strub. Commissioner Shannon Smith joined via phone call around 6:06p.m. Commissioner Jim Holloway arrived around 6:17p.m. Also, in attendance were Planning/Zoning Administrator Katie Nunez, Planning & Zoning Administrative Assistant Maureen Tamares-Meditz, Special Assistant to the Town Manager Julie Pruitt. There was one member of the public in attendance and 14 viewers on Facebook Live.

A moment of silence was observed which was followed by the recitation of the Pledge of Allegiance.

CONSENT AGENDA:

Chairman Stramm suggested to add item C Proposed Calendar in which copy was handed earlier by Ms. Nunez.

Motion made by Commissioner Michael Strub seconded by Commissioner Grossman, to approve the agenda format as amended to add item C on the Consent Agenda.

After reviewing the minutes, the following corrections were made: (i) October 24, 2023 Planning Commission and Town Council Joint Work Session: page 2, Article 4.5 Commissioner Stramm was not present at the meeting; (ii) November 20, 2023 Public Hearing and Regular Meeting: (1) page 2, Public Hearing Comments, incomplete thought, and (2) "Ashworth" was misspelled; and (iii) December 5, 2023 Public Hearing and Regular Meeting, page 3 change "on" to "in".

Motion was made by Commissioner Grossman, seconded by Commissioner Strub to approve the minutes from November 2, 2023 Town Council and Planning Commission Joint Work Session as presented, October 24, 2023 Planning Commission and Town Council Joint Work Session, November 20, 2023 Public Hearing and Regular Meeting and December 5, 2023 Public Hearing and Regular Meeting as amended. The motion was approved by unanimous vote.

PROPOSED CALENDAR:

Ms. Nunez let the Planning Commission know that they have been invited to attend the Town Council Strategic Retreat that will be held on Saturday, February 24, 2024. Time and venue to be determined. She then discussed the proposed calendar on Zoning Ordinance Amendments and Zoning Map Amendments. (please see attached)

CITIZEN COMMENTS:

There were no citizen comments to be heard nor any written comments submitted prior to the meeting.

NEW BUSINESS:

PLANNING COMMISSION BY LAWS: Commissioner Grossman suggested that language be added on Article V regarding the Staffing of other boards by the Planning Commission. Ms. Nunez stated that she will add the language and bring back a clean copy to the next meeting.

ADDITION OF REMOTE PARTICIPATION POLICY: It was agreed that this will be added in as Appendix C once the Planning Commission Bylaws has been adopted.

REPORT OF OFFICERS AND COMMITTEES:

Discussion about the continuation of Draft Sign Ordinance (starting at Section 5 – Prohibited Signs, page 7) was as follows:

Article __ - SIGNS

§5. – Prohibited Signs

- (sub-paragraph A) General prohibitions
 - item 5 - Freestanding signs more than ~~25~~ feet in height. *Change 25 to 10 to match the previous ones that was changed.*
 - item 7 - will now be moved as item 6
- (sub-paragraph B) Prohibitions based on materials.
 - item 2- Animated signs, should revisit this on Definitions
 - item 9 – should be moved to Section 5 (sub-paragraph A) as item 7.
- (sub-paragraph C) Prohibitions based on location
 - item 1 – ~~Off premises signs, unless specifically permitted by this chapter.~~
Commissioner Grossman suggested to strike this out. All agreed.
 - item 6 - ~~Window signs whose aggregate area on a window or door exceed twenty-five percent (25%) of the total area of the window or door.~~
Commissioner Grossman suggested this should be deleted because it was already on Section 4, page 7. All agreed.

§6. Measurements of sign area and height

- (sub-paragraph A) on the last paragraph: In such cases, the sign area shall be computed in accordance with the ~~preceding~~ provisions. Commissioner Grossman suggested to change: preceding to *succeeding*. All agreed.
- (sub-paragraph C) Sign Area
 - Item 2 – Commissioners Grossman and Ashworth suggested to delete the whole item because it was repetitive. All agreed.
- (sub-paragraph D) Maximum height – change 25 ft to: *10 ft.*

§7. Maintenance and Removal

- (sub-paragraph A) All signs shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code. Should add additional language and should be: All signs, *for which Building Permit is required*, shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code. It was mentioned that the Building Code Official, Mr. Brady will have to be involved in this discussion. Ms. Nunez said she will talk to Mr. Brady.
- (sub-paragraph C) Commissioner Grossman suggested to move the whole paragraph under the same Section 7, sub-paragraph e, as new item# 3. All agreed.
- (sub-paragraph E) Sign condition, safety hazard, nuisance abatement, ~~and abandonment.~~ Delete and abandonment and should read as: *Sign condition, safety hazard and nuisance abatement.*
 - Item 2 - Any sign which constitutes a nuisance may be abated by the ~~City/County/Town~~. Delete: *City/Town.*

§8. General requirements

- (sub-paragraph B) Illumination
 - Item 1 – delete the word *shingle* on the 2nd sentence.
- (sub-paragraph C) Landscaping. All ~~non-temporary~~ ground-mounted, replace the word non-temporary with *permanent* as suggested by Commissioner Ashworth. All agreed.

§9. Nonconforming Signs

- (sub-paragraph A) change the following word, and add language on the 3rd paragraph, ~~Upon~~ notice from the zoning administrator, should read as: *If notice from the zoning administrator is issued...* All agreed.

§11. Residential District Signs

- Commissioner Grossman handed out copies of Table 11 that he has summarized. Please see table and proposed changes (changes and addition made in ***bold italic***).

TYPE	Flags	Temporary on Building Permit Site	Temporary Other(1)(2)	Permanent / <i>Non-Commercial</i>
Permit Required	No	No	No	• Question • No (minor)
Size (each/total)	24 sf/ no limit <i>1 flagpole per parcel</i>	12 sf/ max one each per contractor or sub	• 12 sf/ 12 sf • Window signs do not obstruct 25% of total area of all windows in each building façade <i>50% of one window.</i>	• 3 sf/ 3 sf • Max 2 minor signs (< 1 sf) <i>(< 3 sf)</i> each per parcel
Illumination	As required by law	None	None	Indirect <i>None</i>
Setback	25 ft Not in public right-of-way nor 5 ft from service drive, travel lane or adj street	None	None	None
Maximum Height	25 ft	4 ft	6 ft	4 ft
Location	Flag pole ≤ 8" diameter – <i>24 sq ft – 3 limit 1 free standing flagpole</i>	Freestanding, portable, wall or window	Freestanding, portable, wall or window	Wall or window sign or affixed to mailbox
Duration	Unlimited	Duration of project	30 days, and ≤ 90 days per 365-day period	Unlimited

(1) Includes signs on property for sale

(2) Exceptions can be granted for non-residential property in Residential districts

(3) Have the ability to petition the Zoning Administrator to extend time frame (e.g. Churches, etc.)

§12. Heavy and Light Industrial District Signs

- (sub-paragraph D) ~~Off-Site Signs for Commercial Use of Limited Duration.~~ Up to three off-site signs, each not to exceed 6 square feet and 7 feet in height, shall be permitted for a commercial use lasting for 3 or fewer days on property zoned Commercial, with property owner permission . No more than one permitted temporary sign shall be displayed per lot. ~~Display of signs shall be limited to 48 hours prior to commencement, and 48 hours after cessation, of the use or activity advertised.~~ After much discussion, this paragraph should be: Off-Site Premise Signs for Commercial Use. Up to three off-site signs, each (*not to exceed 6 square feet and 7 feet*) in height, shall be permitted for a commercial use lasting for 3 or fewer days on property zoned Commercial, with property owner permission . No more than one permitted *off premise* sign shall be displayed per lot. Display of signs shall be limited to 48 hours prior to commencement, and 48 hours after cessation, of the use or activity advertised.

The discussion for this section will continue on Section 12 – Commercial District Signs. Commissioner Grossman volunteered to summarize the remaining tables. Everyone was appreciative of his work.

STANDING STAFF REPORT:

Ms. Nunez gave updates on the following: (i) Board of Zoning Appeals: The Board held Annual Elections for new officers which will be Dolores Blackburn as Chairman and Jim Holloway as Vice-Chairman. In addition, the Board affirmed their Rules of Procedure with the addition of a new Exhibit to allow for Remote Participation by a Member at a Meeting. (ii) Ms. Nunez gave a summary on the US Census Bureau report for 2018-2022 America Community Survey Data. (Please see attached monthly report). She also mentioned that she can send the link for the data snapshot if anyone is interested.

ANNOUNCEMENTS

- Regular Planning Commission Meeting on Tuesday, February 6, 2024 at the Civic Center

Motion made by Commissioner Grossman, seconded by Commissioner Ashworth, to adjourn the Planning Commission Regular Meeting at 8:20 p.m. The motion was approved by unanimous vote.

Chairman Bill Stramm

Planning & Zoning Administrative Assistant