

MINUTES OF THE STRASBURG PLANNING COMMISSION MEETING HELD ON TUESDAY, OCTOBER 24, 2023 AT 7 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.

PLANNING COMMISSIONERS PRESENT: Chairperson Poling, Commissioners Dean, Foster, Nicholson, Rhodes, Zeimet, and Vice Mayor McCorn. Absent: Commissioners Dean and Zeimet.

STAFF PRESENT: Planning & Zoning Administrator Otis and Clerk Keller.

Chairperson Poling called the meeting to order and reviewed the agenda.

Approval of Agenda:

The agenda was approved unanimously with a motion by Vice Chair Dean and a second by Commissioner Foster.

Public Hearings:

- 1.) To receive public comment on a recommendation to the Town Council of a Zoning Text Amendment (ZTA2024-0001) requested by the Town Council for the revision of the Unified Development Ordinance Section 6.2 Regulations of a Specific Use, Short-term Rental and Bed and Breakfast Establishments.*

Staff Report: P&Z Administrator Otis said to ensure we have enough time to get the ordinance the way we want, staff was instructed to go to public hearing for an amendment to a revision to the short term rental ordinance. If passed, this zoning text amendment would repeal the entire ordinance, but those that already have a permit would not be affected. Staff should then be directed to research how this use has impacted other jurisdictions and what language is in their ordinances. These findings will be provided to the Planning Commission and the Town Council and will be used to determine if and where the Short Term Rental use is appropriate within the town.

- **Public Hearing: The Public Hearing opened at 7:02 p.m.**

Tom Grant, Owner of the AirBnB at 112 East King Street: Stated he thought they were going to be looking at the residential zoning side of the ordinance and now he is hearing the entire ordinance will be repealed. He has not been able to find the wording. When there is a public hearing, there should be specific things that citizens should know to give their voice to. Because of things he has learned about in the last few meetings, he thought this would be just for those that are in the residential zoning and his is in the commercial district.

Being no other speakers, the Public Hearing closed at 7:05 p.m.

- **Discussion/Recommendation:**

Chairperson Poling asked if there would be any impact on establishments already approved and **P&Z Administrator Otis** said there would not be any. There were four applications that had been approved for Short Term Rentals through SUPs. When he took the job, he met with the Town Attorney to discuss some properties that were already acting

as Short Term Rentals and it was determined they were “legal non-conforming” because they were in business before the ordinance was approved. If this is now adopted (to repeal the ordinance), they will remain legal non-conforming just as those that have been approved will remain legal.

Chairperson Poling said he thought the reason for wanting to repeal the ordinance was to give the staff time to find out what other localities are doing. He thinks it was to find out exactly where they would be allowed.

Mr. Grant said he thought they had already decided. **P&Z Administrator Otis** said the way it is currently written, they are allowed in commercial zoning and in residential zoning with a Special Use Permit.

Chairperson Poling said if **Mr. Grant** is operating lawfully, this will not impact him at all; he would be “grandfathered”.

Vice Mayor McCorn said Council’s point-of-view was that the way it was written was not meeting the town’s needs. Short Term Rentals were brand new, and this was the best effort they thought they could regulate them with. They have found there were problems, so they now want something that is deemed more worthy.

Chairperson Poling moved to recommend to Town Council the approval of ZTA2024-0001 with staff being directed to find out how this has impacted other jurisdictions and how they use it; second by Commissioner Dean. With no further discussion, the motion passed unanimously.

- 2.) *To receive public comment on a recommendation to the Town Council on a Zoning Text Amendment (ZTA2024-0002) requested by the Town Council for the revision of the Unified Development Ordinance Sections 2.5 Public Hearings, 2.8 Completeness Review, 2.14 Public Hearing Process Overview, 2.16 UDO Amendments, 2.20 Special Use Permit to reflect the Code of Virginia requirements for public hearings and the related applications.*

- **Staff Report:**

P&Z Administrator Otis said he provided the affected zoning language. The reason for the amendments is that the way the UDO is written, it is challenging to meet the deadlines. The Planning Commission only has 30 days from the day the application is deemed complete to act on an application. To advertise, it may be longer than 30 days before it even comes before the Planning Commission. Town Council also only has 30 days to act on it after the Planning Commission makes a recommendation on an application. Staff is asking to follow the guidelines of State Code which allows for the Planning Commission to act within 90 days and the Town Council one year. All of the different sections listed will need to have the changes made to them.

- **Public Hearing:**

The Public Hearing opened at 7:13 and with no speakers, closed immediately.

- **Discussion/Recommendation:**

Chairperson Poling said the UDO was written more stringently than the State Code allows. He asked about the public hearing review and the sections that were taken out. **P&Z Administrator Otis** will correct the chart and the Planning Commission will continue the reviews as usual. **Chairperson Poling** said if staff wants to, they can stand on their own, but **P&Z Administrator Otis** said **Commissioner Dean** had steered him away from that when discussed at a previous meeting.

Chairperson Poling said that this is only looking at the timeframe and not the approval process.

Chairperson Poling moved to recommend to Town Council the approval of Zoning Text Amendment (ZTA2024-0002) requested by the Town Council for the revision of the Unified Development Ordinance Sections 2.5 Public Hearings, 2.8 Completeness Review, 2.14 Public Hearing Process Overview, 2.16 UDO Amendments, 2.20 Special Use Permit to reflect the Code of Virginia requirements for public hearings and the related applications. The changes will affect the timeframes, but the uses will remain the same. **Commission Foster** offered the second to the motion. With no further discussion, the motion passed unanimously.

- 3.) *To receive public comment on a recommendation to the Town Council of a Special Use Permit (SUP2024-0001) requested by Byron Brill, owner, for property identified as 385 East King Street, Tax Map # 025A4 A 057 for a Commercial property-related, mini- or self-storage Use within the Community Commercial District.*

- **Staff Report:**

P&Z Administrator Otis said **Byron Brill** came to him and questioned what he could do with his property. He told him he could not act as his lawyer. He then came to see if a self-storage could be put into an existing building. **P&Z Administrator Otis** said his only concern was parking and the UDO addresses this. He has parking space at the location, but they are not clearly marked. We do not have any requirements for storage facilities. **Mr. Brill** will provide access through the building.

Staff recommends approval because the parking is not an issue and it will cause no more impact on the neighborhood than what is already there.

Commissioner Dean asked if there are any storage units within the town limits and **P&Z Administrator Otis** did not think there were any.

- **Public Hearing: The Public Hearing opened at 7:23 and closed immediately with no speakers.**
- **Discussion/Recommendation:**

Commissioner Foster said the building is where lumber was stored so it is not enclosed, and it is totally enclosed. He also said he shows two ten-minute parking spaces in the drawing.

Commissioner Dean said there are two buildings at the location, but the other building is not part of the application; the one in the application is enclosed.

Commissioner Dean moved to recommend approval to the Strasburg Town Council the Special Use Permit (SUP2024-0001) requested by Byron Brill, owner, for property identified as 385 East King Street, Tax Map # 025A4 A 057 for a Commercial property-related, mini- or self-storage Use within the Community Commercial District; second by Commissioner Rhodes. With no other discussion, the motion passed unanimously.

Citizen Comments on non-agenda items:

Action Items:

1.) Approval of Minutes

Description: Approval of Minutes of the September 26, 2023 Planning Commission Meeting

The minutes of the September 26, 2023 Planning Commission meeting were approved unanimously on a motion by Vice Mayor McCornyn and the second by Commissioner Foster.

Staff Updates:

- A Joint Meeting of Town Council and Planning Commission will be held on December 19, 2023. The Berkley Group will be bringing their findings before both groups for discussion.
- Annual Report

P&Z Administrator Otis said Staff needs to work on an annual report of items the Commission has acted on.

Old Business:

New Business:

P&Z Administrator Otis introduced **Mellanie Shipe**, the new Assistant Town Manager for the Town of Strasburg.

***Adjournment:* Commissioner Foster moved for adjournment; second by Vice Mayor McCornyn. With no discussion, the motion passed unanimously, and the meeting adjourned at**