



TOWN COUNCIL

Work Session

Town Hall

May 8, 2014

6:00 PM

At approximately 6:00 p.m., Vice Mayor Chris Bannon, having established a quorum, called to order the Town Council Work Session. In addition to Vice Mayor Bannon, present were Councilmen Bennett, Godwin and Sullivan, and Councilwoman Natali. Mayor Sullivan and Councilman Wendell were not in attendance. Also present were Mayor-Elect George Proto, Town Manager Heather Arcos, Planner Rob Testerman and Town Clerk Libby Hume. Northampton County Supervisor Granville Hogg was in the audience. There were no other members of the public in attendance.

Vice Mayor Bannon announced the business for the evening would be to review the proposed County Zoning Ordinance and Draft Historic Town Entrance Corridor Overlay language.

Planner Rob Testerman stated that at the April 24, 2014 Regular Meeting, Council reviewed the draft Historic Town Entrance Corridor Overlay District language which was submitted to Northampton County in January 2014. Council requested a work session be scheduled to review the issue in detail.

Rob Testerman continued to state that he had spoken with Peter Stith and Charles McSwain with Northampton County and they seemed to think that the County was interested in the Town's input but wanted to complete the initial review of the proposed zoning ordinance before reviewing the draft language submitted by the Town.

Rob Testerman went on to state that he had reviewed the resolution adopted by the Town of Exmore but felt it would be better for the Town to adopt a resolution recommending the Town and County work in cooperation vs. taking Exmore's stand which seemed combative.

Council reviewed the current and proposed zoning maps along with the handouts showing the current by-right uses and the proposed by-right uses. The majority of the proposed uses were currently permitted by-right. There was little change in the Cape Charles town edge area.

There was some discussion regarding the Town's rights in the current Town Edge. Rob Testerman explained that if the use was allowed by-right, there was not much the Town could do. In the Historic Town Entrance Corridor Overlay District language, the Planning Commission suggested certain uses by conditional or special use, which would require a public hearing process. The Town could then review and provide input.

Councilwoman Natali stated that the Town had no control over the entrance into Town. Cape Charles brought a lot to the County in regards to visitors, tax dollars, etc. It would be in the County's best interest to work with the Town to ensure the entrance corridor was inviting to tourists. It would be mutually beneficial for the County and the Town. Councilman Sullivan agreed and added that the Town drew a large number of visitors and was a major source of revenue for the County. A cooperative agreement between the County and the Town was needed to ensure we worked together.

There was also some discussion regarding the planned Harbor Access Road and whether VDOT would assign a new route number for that road. Supervisor Hogg recommended that Council think about the future of Route 184 once the new Harbor Access Road was constructed.

Supervisor Hogg suggested that the Town needed to be looking at the intersections with Route 13, especially the area south of the Corner Mart. There was a 3.5 mile corridor along Route 13 which was zoned for commercial use. The commercial area along Route 13 in Exmore covered 1.8 miles and included 5 stoplights.

There was much discussion regarding businesses that could locate on Route 13 eventually and the fact that some of those businesses would not be willing to come into Town. Current businesses on Route 13 (Food Lion, ABC Store, McDonalds, etc.) all generated traffic. The speed factor was also a concern. The Town needed input regarding the businesses permitted along Route 13. Councilwoman Natali suggested language stating that when businesses that generated a lot of traffic expressed interest in coming to the area, a special use permit would be required. This would allow the Town to have a voice as part of the permitting process.

Rob Testerman explained the County's process for special use permits. Currently, staff reviewed the application, then submitted it for review by the Planning Commission for their recommendation. The Planning Commission's recommendation was presented to the Board of Supervisors for their review and decision. The proposed process would begin with staff, then go directly to the Board of Supervisors for their decision. The Planning Commission would not be part of the process. The Town could possibly recommend going back to the current process.

Discussion shifted to the Annexation Agreement of November 25, 1991. Councilman Sullivan stated that he recalled language that designated 1 mile on each side of the intersection of Route 13 and Route 184 and asked whether there was any time limit regarding this requirement. Heather Arcos stated that staff would review the Annexation Agreement again regarding the specifications for joint planning. There was some discussion regarding the addition of language from the Annexation Agreement to the draft resolution.

Draft Resolution 20140522 was reviewed and Council agreed that it was well written but requested a second resolution be drafted to deal with the requirements included in the Annexation Agreement regarding the joint planning in the area along the Route 13, Route 184 and Route 642 corridors. This issue would be revisited, along with the two resolutions, at the May 22nd regular meeting. Councilwoman Natali suggested that a reference be added regarding any new roads that may be constructed in the Historic Town Entrance Corridor Overlay District. Rob Testerman stated that the language regarding any new roads would be better placed in the draft Historic Town Entrance Corridor Overlay language recommended for the proposed County zoning ordinance. Councilman Sullivan requested the language be included in both the language for the zoning ordinance as well as the resolution.

Motion made by Councilman Sullivan, seconded by Councilwoman Natali to adjourn the Town Council Work Session. The motion was approved by unanimous consent.

Vice Mayor Bannon

Town Clerk