

Town Council: Bob Bloxom, Ray Burger, Thelma Gillespie, Joy Marino, Sarah Nock and Maphis Oswald
Mayor: Fletcher Fosque | **Town Manager:** Matt Spuck

Town of Onancock

Planning Commission Meeting

September 21, 2021 at 5:30 p.m.

Agenda

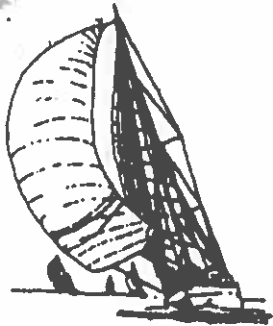
1. Call to order and roll call
2. Consideration and approval of meeting minute from:
 - a. August 17, 2021 meeting
3. Commissioner Business:
 - a. Brief update on status of Comprehensive Plan Review
 - b. Review zoning application – change of zoning from residential to business – 16 Market St.
 - c. Review current version of Homestay ordinance
4. Adjourn

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Town of Onancock
Planning Commission Meeting Minutes

August 17, 2021 at 5:30 p.m.

1. Call to order and roll call
 - a. Chairperson Grier called the meeting to order at 5:33pm
 - b. All members were present.
2. Consideration and approval of meeting minute from:
 - a. July 20, 2021 meeting
 - i. A motion was made by Commissioner Schreiber and properly seconded by Commissioner Brockmeir. No discussion was held and voted to accept unanimously.
3. Commissioner Business:
 - a. Joint Public Hearing – Onancock Planning Commission and Town Council to hear public comment regarding the FY 2022 Comprehensive Plan
 - i. Mr. Spuck updated the Commission on the upcoming joint public hearing. There was no discussion or questions.
 - b. Review draft Homestay ordinance
 - i. Every Commissioner provided input on the current version and several suggestions were made to refine it to reflect the community opinions and feedback each Commissioner has received.
 - ii. Several Council members and community members were present and allowed to contribute to the discussion
 1. The Commission requested that Mr. Spuck revise the current version to reflect new comments and present to the Commission for review at the September 21, meeting.
 - c. Review ordinances for proposed new construction
 - i. Mr. Spuck presented two current property transactions that may request building construction on the edge of the Creek. One of these possible projects will require construction on a current paper road. He reviewed all ordinances concerning these types of projects regarding, setback requirements, RPA buffer areas and administrative, utility connection requirements, and paper road construction. All Commissioners agreed with Mr. Spuck's interpretation of current Town Code.
 1. No building or zoning permit has been applied for, but in the event they are Mr. Spuck appreciated the support of the Commission in his interpretation of the Code.
4. Adjourn
 - i. A motion was made by Commissioner Brockmeir and properly seconded by Commissioner Frey. No discussion was held and voted to accept unanimously.



TOWN OF ONANCOCK

15 North Street
Onancock, VA 23417

RECEIVED
SEP 15 2021
TOWN OF ONANCOCK

**TOWN OF ONANCOCK
ZONING PERMIT APPLICATION**

Tax Map Identification Number: 085A 9A 000006800

IDENTIFICATION AND PROPERTY LOCATION

Name of Property Owner: Fletcher + Janet Fosque

Physical Address of proposed use: 18 Market St

Mailing Address: 16 Market St.

Telephone Number: 757-710-2028 ^{Janet} Alt/Cell: 757-710-1995 ^{Fletcher}

Contractor: _____

Mailing Address: _____

Telephone Number: _____ Alt/Cell: _____

ZONING CLASSIFICATION

TYPE OF IMPROVEMENT/INTENDED USE

change zoning from Residential
Business Zoning

PAID
SEP 15 2021
BY: [Signature] 25!

DIMENSIONS

Number of stories _____

Square feet of new construction _____ sq ft.

Describe provisions for off street parking: (Zoning ordinance requires 1 parking space per 100 sf of gross floor area in the business districts and 2 parking spaces for dwelling unit in the residential districts)

A SITE PLAN MUST ACCOMPANY THIS PERMIT APPLICATION

Plan must show the following details

- Lot dimensions
- Streets adjacent to the lot with existing and proposed entrances marked
- Location of all existing and proposed structures on the site
- Distances from all structures to the front, back, and sides of the property line
- Additional information may be required by the Zoning Administrator, depending on the type of use proposed.


Signature of Applicant

Date: 9-15-21

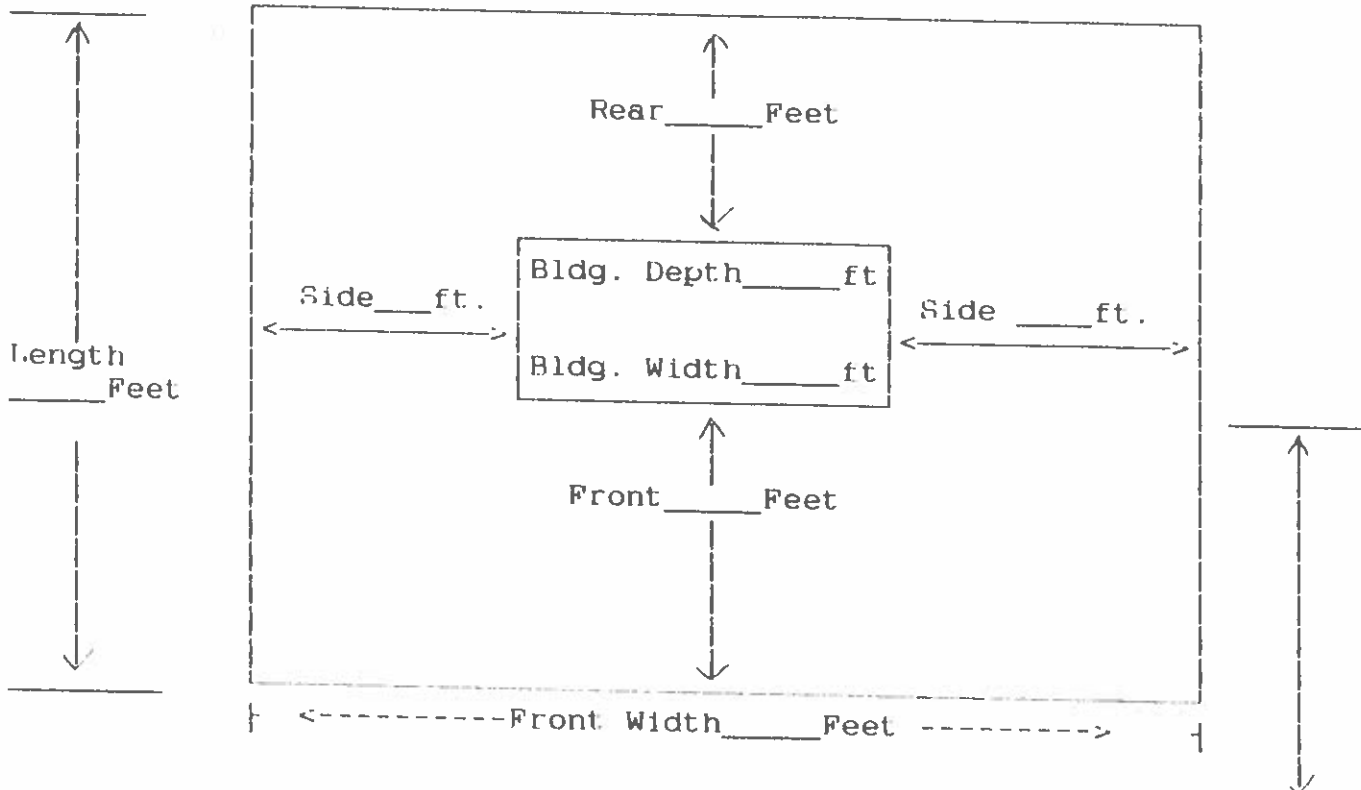
Approved _____ Denied _____

Signature of Zoning Administrator

Date: _____

R O O M A D D I T I O N S

←-----Rear Width _____ Feet ----->



Bldg. Setback from center _____ Ft.
line of Street

_____ Street Tax Map No. _____

Plot Plan Building Permit No. _____ dated _____

I certify that the information provided above is true to the best of my knowledge.

Owner

Sec. 38-77. Special exceptions.

The following uses shall be permitted in the Single-Family Residential District (R-1), subject to all the other requirements of this chapter, only upon the obtaining of a special use permit, as defined in article XV of this chapter, from the town council:

- (1) Each dwelling unit shall be permitted not more than one apartment, which shall be contained within the dwelling unit itself. It shall be a condition of issuance of a special use permit that the owner of the dwelling within which the apartment is located ~~actually~~ reside within the dwelling itself.
- (2) Bed and breakfast houses. Each dwelling unit may be permitted not more than five guestrooms in which overnight accommodations may be offered to transients and operators must live on site.
- (3) Homestay. ~~For the purpose of~~For this subsection, the term "homestay" means a home occupation in which an individual owns a dwelling ~~and also~~and provides lodging in ~~all or any~~ portion thereof for temporary periods of times not to exceed three weeks. Other terms used for this type of business include "Short-term Rental," and "STR. Examples of these include but are not limited to AirBnB, VRBO, or any other online or private travel agent or agency.
 - a. Every short-term rental must obtain and maintain a Special Use Permit from the Town of Onancock. Special Use Permits for STR expire 3 years from the date of issuance and must be reconsidered by Town Council following the application process in place at the time of the renewal request.
 - b. Every Homestay is required to submit Transient Occupancy Tax (TOT) as per Chapter 16, Article IV herein. If any Homestay is idle for twelve consecutive months or does not submit TOT as defined, the Special Use Permit is automatically rescinded, and the owner must reapply using the process in place at the time of the reapplication.
 - c. The current owner must apply for the Special Use Permit. In the situation of a property sale contingent on securing the Special Use Permit (SUP), both the current owner and the purchaser may jointly apply. An owner of a homestay residence must apply for a business license and is subject to the transient occupancy tax.
 - d. The owner shall only be permitted one homestay in the town. Any ownership by a partnership or corporation must disclose all individuals included in the ownership of the purchasing entities. No individual may own any portion of more than one homestay in Onancock.
 - ee. The applicant must provide local contact information for a responsible party, if the owner is not the responsible party, the owner must identify a responsible party who will be available 24 hours a day, seven days a week, to respond to, and resolve issues and complaints that arise during a period in which the dwelling is being used for transient occupancy. This contact information will be made available to all adjoining property owners and to the Onancock Police Department.
 - f. There must be a minimum of two-hundred linear feet (measured from the water meter for the property or the center of the frontage, depending on the location of the meter) and one tax parcel as defined by Accomack County between properties allowed for use as Homestay properties. This includes all contiguous parcels in front, behind, and on both sides. Natural separations, such as the Creek, automatically creates an appropriate barrier between Homestay structures.
 - g. Homestay properties may rent for no more than 90-days in a calendar year.
 - dgh. The number of overnight guests will be determined by the zoning administrator in consultation with the homeowner. Properties will allow no more than 2 guests per bedroom and no more

than 4 persons for each full bathroom. The property must provide off-street parking for one vehicle for every four guests, based on the number of bedrooms, size of the house and size of the lot subject to approval of the town council.

- i. The owner of the property must annually provide the Town of Onancock with proof of insurance for property damage and liability in an amount no less than the full replacement value of the structure as it exists at the time of application and an amount of liability coverage no less than \$1,000,000 per incident.
- ej. The homestay shall comply with all applicable town, county, state and federal statutes, regulations and ordinances.
- fk. The town reserves the right to inspect the residence based on complaints to verify that the homestay is being operated in accordance with the regulations set forth within this section.
- gl. The special use permit ~~may~~ will be revoked by the zoning administrator in the event that three or more substantiated complaints are received by the town in a calendar year, or failure to maintain compliance with any of the regulations set forth in this subsection (3) herein.

(Code 1989, § 24-16; Ord. eff. 6-5-1962; Ord. of 3-24-1997; Amd. of 7-14-1997; Ord. of 7-27-1998; Ord. of 2-27-2017, § 24-16(c))

Matt Spuck

From: Lawrence Frey <lawrence.g.frey@gmail.com>
Sent: Tuesday, September 7, 2021 3:17 PM
To: Judith Grier
Cc: Matt Spuck
Subject: Planning Commission Meeting 9/21

Judith - I will be unable to attend the next get together as I'll be in NY.

Regarding the airBNB discussion:

I am of the mind that I would like to limit or restrict the number of these in the Town. A few are fine - but we need to somehow cap the number if not reduce the number that are available. as well as limit them to a predetermined zone if that is feasible. As far as the last bit (predetermined zone) around the downtown area in my mind is best. It may be beneficial to the businesses that operate there.