

Town Council: Brandon Brockmeier, Ray Burger, Cynthia Holdren, Joy Marino, Sarah Nock and Maphis Oswald
Mayor: Fletcher Fosque | **Town Manager:** Matt Spuck

Planning Commission

March 4, 2024

6:00 PM Council Chambers

Agenda

- 1) Call to order
- 2) Attendance/ Establish Quorum
- 3) Approve minutes:
 - (a) February 5, 2023
- 4) Article II, Stopping Standing and Parking
- 5) Public comment
- 6) Commissioner comments
- 7) Adjourn

Town of Onancock
Planning Commission Meeting
February 5 ,2024
6:00 PM

1) Call to Order

Chairperson Schreiber called the meeting to order at 6:00 PM.

2) Attendance/Establish Quorum

Chairperson Scott Schreiber, Commissioners T. Lee Byrd, Jake Dillon, Larry Frey, and Carol Tunstall were present. Commissioners Bill Bagwell and Brandon Brockmeier were not present. A quorum was established. Town Manager Matt Spuck and Town Clerk Debbie Caton were present.

3) Approve minutes: December 4, 2023, meeting:

Commissioner Frey moved to approve the minutes. Commissioner Dillon seconded the motion. The motion passed with a 4-0 vote.

4) 38-78 Minimum lot dimensions

Chairperson Schreiber asked for public comments. No public comments were recorded. Commissioner Tunstall moved to approve the revisions to lot dimensions. Commissioner Byrd seconded the motion. The motion passed with a 4-0 vote.

5) Article II, Stopping Standing and Parking

Chairperson Schreiber asked for public comments.

- Priscilla Hart – 21 Market St. – Ms. Hart expressed her concerns with parking on Market St. She commented that customers should have a place to park but employees use the spaces. She thinks most vendors would be supportive of the time limit on spaces (i.e. two-hour limit) during business hours.

Commissioner Dillon moved to approve the revisions to Article II. Commissioner Tunstall seconded the motion. The motion passed with a 4-0 vote.

6) Public Comment

- Rosemary Paparo – Holly St – Ms. Paparo asked for consideration of a prohibition for the B1 business district for food trucks. There are specific prohibitions there but not for food trucks.

7) Commissioner comments

Chairperson Schreiber clarified that moving forward, the meeting start time will be 6:00 PM instead of 5:30 PM.

**Town of Onancock
Planning Commission Meeting
February 5 ,2024
6:00 PM**

8) **Adjourn**

Commissioner Byrd moved to adjourn. Commissioner Dillon seconded the motion. The motion passed with a 4-0 vote. The meeting adjourned at 6:30 PM.

ARTICLE II. STOPPING, STANDING AND PARKING

Sec. 26-37. Parking prohibited in specified places.

No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk.
- (2) ~~In front~~Blocking any portion of a public or private driveway.
- (3) Within 15 feet of any intersection.
- (4) Within 15 feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within 15 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.
- (7) Between a safety zone and the adjacent curb or within 15 feet of points on the curb immediately opposite the ends of a safety ~~zone, unless~~zone unless a different length is indicated by official signs or markings.
- (8) Within 15 feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within 75 feet of the entrance, when properly signposted.
- (9) Alongside or opposite any street excavation or ~~obstruction, when~~obstruction when such parking would obstruct traffic.
- (10) On the roadway side of any vehicle parked at the edge or curb of a street (double parking).
- (11) Upon any bridge.
- (12) ~~At any place where official signs prohibit parking. This provision shall not be in force on Sunday and other generally recognized legal holidays, except in the area of the town wharf and streets immediately adjacent thereto.~~

(Code 1989, § 13-10; Amd. of 4-10-1978, § 1)

State law reference(s)—Prohibiting parking in certain locations, Code of Virginia, § 46.2-1239; authority of town to regulate parking, Code of Virginia, § 46.2-1220.

Sec. 26-38. Parking across parking space lines or not wholly within parking space.

It shall be unlawful to park any vehicle across any line or marking designated as a a-parking space or to park any vehicle in any way that such vehicle shall not be wholly within a parking space as designated by lines or markings. Without written permission from the Town Manager or Chief of Police, it shall be unlawful to place any object within the confines of a marked parking space that could impede a full-sized vehicle from using the parking space as intended.

(Code 1989, § 13-11; Amd. of 4-10-1978, § 2)

Sec. 26-39. Vehicles, trailers, and campers parked on streets and parking lots.

- (a) No vehicle, trailer, or camper shall be parked on any street or parking lot in the town for a period greater than 48 hours.
- (b) No trailer shall be left on any town property for a period greater than 24 hours without being properly attached to a vehicle.
- (c) No vehicle shall be parked on any ~~town/state owned street, highway~~ public right of way or parking lot without displaying a valid/current state license plate, and state inspection, and municipality sticker.
- (d) Enforcement by the chief of police or by another officer as designated.
 - (1) The registered owner of the vehicle, trailer, or camper shall ~~be notified of such~~ receive a parking violation by registered or certified mail, return receipt requested, mailed to the last known address of such owner as shown on the state department of motor vehicles records. If, after seven days from the date of ~~actual receipt of such notice by the owner of said vehicle, trailer, or camper, or 14 days after the date of mailing, which shall occur first,~~ the owner of such property has failed to remove said property, the town, acting through its agents or employees, may have said property removed.
 - (2) After removal of any such property ~~pursuant to~~ according to subsection (a) of this section, the town, through its agents or employees, may dispose of such property. Written notice shall be delivered in a manner that allows for confirmation of receipt, after giving a further notice as provided in subsection (a) of this section to t. ~~The owner of such property, and the failure of the owner to~~ must pay all costs attributable to such removal within five days of ~~completion~~ the receipt of such notice. If the owner of the property cannot be determined by investigation through the state department of motor vehicles or the comparable state agency in which said property is registered, or such cannot be reasonably ascertained from the property, no such additional notice to the owner of the property shall be required.
 - (3) The cost of any such removal and disposal shall be chargeable to the owner of the property, and may be collected by the town as taxes and levies collected. Any amount which may be realized by the town from the sale of any such property shall be applied to such costs. No amount will be refunded to the owner under any circumstance.
- (e) Penalty. Any person violating the provisions of this section shall, upon conviction, be guilty of a Class 4 misdemeanor and be punished by a fine of not more than \$250.00. Each day in violation shall constitute a separate offense with a limit of \$3,000.00. The town shall similarly collect fines as personal property taxes.

(Code 1989, § 13-12; Ord. of 4-25-2016(1))

Sec. 26-40. Violations and penalties; payment of uncontested parking citations; contested citations.

- (a) It shall be unlawful for any person to violate or fail to comply with any of the provisions of this article or of any rule or regulation promulgated pursuant thereto.
- (b) Any ~~parking~~ citation issued by an officer of the town ~~pursuant to~~ under this article may be satisfied by payment to the town ~~manager office of the sum of \$25.00 at any time during regular office hours at the town office in the municipal building within~~ an amount equal to the appropriate amount including the Processing Fee as published in the most recently published Virginia Uniform Fee Schedule Rule 3B:2 Uniform Fine Schedule). ~~15 days of the date of the citation~~ If the violation remains unpaid for 30 days, the violation will be

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reported to the Department of Motor Vehicles which may affect vehicle registration. The fine and Processing Fee shall not be waived under any circumstance.

- (c) It is unlawful to park any vehicle Parking in handicapped-onlyhandicapped-only designated areas. It shall be unlawful for any automobile, truck, cart or vehicle to be parked in a designated handicapped zone unless the vehicle displays a valid handicapped license plate or parking tag issued by the appropriate department of motor vehicles and is occupied currently operated by the handicapped person or persons for whom the tag was issued. Violation of this subsection shall be punishable by a fine of \$250.00 for the first offense and \$500.00 for a second or subsequent offense the fine and processing fee published in the Virginia Uniform Fee Schedule.
- (d) Any person who wishes to contest any parking citation shall notify the town manager at any time during regular office hours at the town office in the municipal building within 15 days of the date of the citation. Upon receipt of such notification, the town manager shall certify in writing on an appropriate form to the general district court of the county that such parking citation is being contested and request that a date for trial be set on the docket of such court. Upon notification by the court of the trial date, the town manager shall cause a summons to be issued to the person receiving such parking citation, which summons shall be served by a police officer of the town, or shall be mailed by certified or registered mailUSPS to such person in the event such person is a nonresident of the town.
- (e) In the event any parking citation is neither satisfied by payment nor contested by delivery of written notice to the town manager within such period of 15 days, the town manager shall refer the matter for trial to the general district court of the county and have a summons issued in the same manner as described above. The town will also report the unpaid citation to the Department of Motor Vehicles.

(Code 1989, § 13-13; Amd. of 4-10-1978, § 3; Amd. of 4-10-1989; Ord. of 4-25-2016(2))

Sec. 26-41. ~~Authority of town manager or chief of police~~Temporary Parking Adjustments.

The town manager or chief of police may adopt and put into effect regulations designating the time, place, and manner for which vehicles may be allowed to park on town streets and may make and enforce such additional rules and regulations as parking conditions may require. It shall be unlawful for any person to violate such rules and regulations.

(Code 1989, § 13-14; Ord. of 4-25-2016(3))

State law reference(s)—Enforcement of town parking ordinances, Code of Virginia, § 46.2-1225.

~~Secs. 26-42—26-70. Reserved.~~

Secs. 26-42: Downtown Parking Regulations

- a) Limitation of parking to two hours in the Downtown District
- i) For this ordinance, the boundaries of the Downtown are considered Market Street immediately east of College Avenue traveling west on Market Street East Street at the far west end of Market Street. Also included in the Downtown District are North Street heading south from Town Hall to Market Street, the northern spurs of both Ames Street and Mount Prospect Street beginning at the edge of the bridge up to Market Street, all of King Street, and all of Crockett Avenue.
- i) A parking space is defined as a marked area designed for the temporary parking of a motor vehicle.
- ii) No person shall park any motor vehicle in any parking space on any public street within the Downtown District for a period exceeding two hours. (BETWEEN THE HOURS OF 5 AM TO 5 PM??)

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- (1) Exceptions include emergency vehicles actively performing their duties, or vehicles displaying a handicapped parking permit following applicable state laws.
 - (2) Fines and processing fees are set by the most recently published Virginia Uniform Fee Schedule including the Processing Fee as published in the most recently published Virginia Uniform Fee Schedule Rule 3B:2 Uniform Fine Schedule. If the fine is not paid within 30 days, the violation shall report the violation to the Department of Motor Vehicles and the general district court of the county.
 - (3) The fine and Processing Fee shall not be reduced, waived, or adjusted in any way under any circumstance unless ordered to do so by the Onancock Chief of Police.

Secs. 26-43—26-70. Reserved.