

BERRYVILLE PLANNING COMMISSION
Berryville-Clarke County Government Center
Meeting Minutes
May 23, 2023

A meeting of the Berryville Planning Commission was held on Tuesday, May 23, 2023 at 7:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

ATTENDANCE: Members of the Planning Commission present: William Steinmetz, chair, Kim Kemp, vice chair, Michael Bell, Gwen Malone, Michelle Marino, Tom Parker, Sheryl Reid

Absent: no one

Staff present: Christy Dunkle, Community Development Director, Jean Petti, Deputy Town Manager

Press present: Mickey Powell, Winchester Star

1. CALL TO ORDER – William Steinmetz, Chair

Chair Steinmetz called the meeting to order at 7:00 p.m.

2. APPROVAL OF AGENDA

Ms. Reid made the motion to approve the agenda as presented, seconded by vice chair Kemp. The motion passed by voice vote.

3. APPROVAL OF MINUTES

Ms. Marino made the motion to approve the March 28, 2023 minutes as presented, seconded by vice chair Kemp. The motion passed by voice vote.

4. CITIZENS' FORUM

No one spoke.

5. SET PUBLIC HEARING – TEXT AMENDMENTS FOR SHORT-TERM RENTAL REGULATIONS

Ms. Dunkle read the proposed amendment to Article I defining short-term rental. Ms. Petti said there had been a number of discussions on the matter with staff and the Community Development Committee. She said she has been reviewing neighboring localities' regulations, adding that a registry is recommended by Chief White and the Public Safety Committee. Ms. Petti said that a registry will offer safety for the renters and neighbors and the investment of the property owner. She said a registry would feature emergency contact information similar to what downtown businesses have on file with the police department.

Ms. Petti identified the proposed zoning districts in which short-term rentals would be permitted by special permit. She said including the L-1 Industrial district should also be considered as there are allowances for residential lofts and apartments. She said the requirement of a special use permit would allow for communication with neighbors. She reviewed the relevant Town Code sections that were included in the staff report. There was a discussion about parking, accessory buildings, a definition of "event," and advertisement as they relate to proposed Town Code regulations.

Chair Steinmetz asked for comments about a registry. Mr. Parker and Ms. Marino thought it was a good idea. There was a discussion about what should be included in the application and the frequency of submission. Ms. Petti said the adjacent localities' registry applications varied from general to very specific. She said if it became too unwieldy for the Town Business Office, a fee could be applied.

Chair Steinmetz asked about parking and how it would be identified. Ms. Dunkle said it would be shown on a site plan which is a requirement of the special use permit application. He said he would be in favor of leaving parking requirements out of the requirements. Ms. Marino said an event would have a large impact on the parking. Mr. Parker said that parking may be more of an issue depending on the occupancy capped. Ms. Petti said the definition currently allows up to four people per bedroom. Mr. Parker said a three-bedroom house would be able to have 12 people which would likely create a parking problem.

Chair Steinmetz asked commissioners for their comments on accessory units. He said they may be better as long-term rental units. Vice chair Kemp said additional public input would be helpful on this matter. There was a discussion about the number of accessory units existing in Town. Mr. Parker referenced carriage houses as a possible scenario.

Mr. Parker asked about the building code requirements and the number of occupants per bedroom proposed in the definition. Ms. Petti said there were several ways to determine the number of occupants that may be permitted. Mr. Parker suggested reducing the number to two occupants per bedroom which would help with any parking concerns. Ms. Malone opined and chair Steinmetz said that sounded like a reasonable approach.

There being no further discussion, chair Steinmetz asked for a motion to set a public hearing on the matter. Vice chair Kemp made the motion, seconded by Ms. Malone, the motion passed by voice vote. Ms. Dunkle said she would send the information to those owners currently operating a legal short-term rental. Ms. Reid suggested referencing the public hearing on Facebook. Ms. Dunkle said she would contact Cathy Kuehner.

6. DISCUSSION – PLANNING UPDATE

There was a discussion about the Battletown Inn.

7. OTHER

Chair Steinmetz said the veterans' banners that have just been installed look great.

8. ADJOURN

There being no further discussion, Ms. Reid moved for adjournment, seconded by Mr. Bell, with the motion passing by consensus at 7:48 p.m.

William Steinmetz, Chair

Christy Dunkle, Secretary