

**RICHMOND COUNTY PLANNING COMMISSION
MEETING MINUTES**

December 5, 2016

The Richmond County Planning Commission held its regularly scheduled meeting on Monday, December 5, 2016, in the Public Meeting Room, County Administrative Building, Warsaw, VA.

The following members were present:

Walter Ball
Glenn Bowen
Jesse Clark
Rick Cox
Cassandra Jackson
John W. Lewis
Harry Smith, Jr.
Clifton Jenkins

The following members were absent:

Chairperson Martha Hall
Vice-Chairman Darnell Clayton

Also present:

D. Barry Sanders
Hope Mothershead
Richard English

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Jesse Clark called the meeting to order at 7:00 p.m., gave the invocation and led everyone in the Pledge of Allegiance.

APPROVAL OF MINUTES – NOVEMBER 7, 2016 MEETING

Jesse Clark asked for a couple of grammatical changes to the minutes from the November 7, 2016 meeting. John W. Lewis made a motion to approve the minutes, as amended. Walter Ball seconded the motion and they were approved unanimously.

PUBLIC HEARING – AMENDMENT TO ZONING ORDINANCE

Jesse Clark declared the opening of the Public Hearing and turned the meeting over to Barry Sanders to hear the following:

To receive public comment on a proposed amendment to the Richmond County Zoning Ordinance. The updated language modifies the provisions for side-yard setbacks of piers and docks.

Barry Sanders addressed the Commissioners and read the proposed change as follows:

4-14-8 PIERS AND DOCKS

Piers and docks should be designed to cause minimum interference with the public use of the water surface and shorelines.

G. Sideyard Setback

Docks shall be setback a minimum of thirty (30) feet from side property lines, except that community *and shared* piers and docks may be located upon a side property line when mutually agreed to by contract with the owners of the adjacent property, a copy of which must be filed with the application for permit. *For lots recorded prior to August 10, 1989, which are 100 feet or less and 50 feet or less in width, the side yard setback shall be reduced to 15 feet and 10 feet respectively.*

Mr. Sanders indicated that he has not received any public comment on the amendment. Jesse Clark added that the absence of the public at the meeting would indicate no controversy on the matter. Richard English noted that this would allow landowners with narrow lots to place the pier on one side or the other and not in the center of lot. John W. Lewis asked what would happen if the adjoining neighbors did not like the location the pier. Richard English indicated that as long as the pier complied with County and State requirements, it would be allowed.

Jesse Clark asked if there were any further questions from the Commissioners.

Jesse Clark opened the floor to the public. With no further questions or comments, Jesse Clark closed the floor to the public.

Cassandra Jackson made a motion to accept the ordinance amendment as proposed. Clifton Jenkins seconded the motion. The motion carried with a vote of 8-0 (*Clifton Jenkins – yay; John*

W. Lewis – yay; Harry Smith – yay; Glenn Bowen – yay; Rick Cox – yay; Cassandra Jackson – yay; Walter Ball – yay; Jesse Clark – yay).

OTHER BUSINESS

DISCUSSION ON COVERED BOAT SLIP ALLOWANCE

Richard English addressed the Commissioners and reviewed the following proposed language for discussion:

4-14-7 COVERED BOAT SLIPS

- A. No more than one covered boat slip is permitted per individual private, non-commercial pier.
- B. Two covered boat slips shall be permitted adjacent to a shared private, non-commercial pier that has been constructed upon the shared property line.
- C. The property’s waterfront frontage must be a minimum of 100 feet in width; said width to be measured in a straight line from the intersection of the side property lines with the mean low water line.
- D. The body of water on which the covered boat slip is located shall not be less than 500 feet wide, unless the body is manmade; said width to be measured in an arc from the centerline of the pier at the high water mark.
- E. The covered boat slip shall not extend past the most channel ward limits of the adjacent pier.
- F. The covered boat slip must be constructed on the interior side of the pier (towards the center of the lot) and away from the nearest neighboring riparian area.
- G. The covered boat slip shall not exceed 700 square feet.
- H. The covered boat slip shall have a roof that does not extend more than 20 feet above the mean low water elevation; as measured from the top of the roof ridge.
- I. All roofs shall have an “A” pitch of no less than four on 12, with eaves and soffits not exceeding 18 inches in width.
- J. Roofing material must be non-reflected.
- K. Nothing (flagpole, antenna, cupola, etc.) shall project above the top of the roof.
- L. Except for the support pilings, top plates or headers, all sides of the covered boat slip shall be open, with an unobstructed view from the waterline to the bottom of the top plate or support header.
- M. The covered boat slip shall not contain more than one boat lift.
- N. Catwalks five (5) feet or less in width are permitted within the covered boat slip.
- O. Any lighting shall be directed inward and downward and shielded to prevent glare escaping from the covered slip.

- P. The covered boat slip must meet requirements of the Virginia Marine Resources Commission (VMRC) and the U.S. Army Corps of Engineers (CofE).
- Q. Covered boat slips or boathouses over the water for marinas may be considered as part of the application submittal for rezoning or general development plan (Richmond County Wetlands Permit may also be required).

Richard English noted that many of the above items are not enforced by VMRC and would be County specific if decided upon.

Rick Cox asked if the ordinance should retain the definition of boathouse if boathouses would not be allowed. He also thought some language should be added about non-covered slips. Barry Sanders offered that the boathouse information would refer to commercial projects only. Mr. English noted that the wet slip or uncovered slip could not be regulated, only the structures with open sides, wherein the zoning ordinance would regulate the boat lifts housed thereunder.

Rick Cox feels that “D” should either be re-worded or deleted because of the restrictions set forth therein. Mr. English clarified that as to “E”, the adjacent pier would reference the pier serving the slip and not the neighbors pier. John W. Lewis recommended to change “E” to read, “The covered boat slip shall not extend past the most channel ward limits of the applicants existing or proposed pier.”

Rick Cox asked about “M” and wondered if a landowner could place multiple small watercraft under the covered boat slip. Richard English noted that a state hearing would have to be held for approval of multiple boat lifts under one covered slip.

Richard English noted that “I” was added into the proposed language to eliminate decks being built on the rooftop of the slip. A roof with an “A” pitch will not allow decking. Jesse Clark suggested that non-reflective paint could be used on the roofing material to meet the guidelines of “J”.

Richard English continued to add that VMRC allows catwalks as set forth in “N”. Catwalks have never been defined in the zoning ordinance.

Rick Cox suggested to possibly strike “O”. Harry Smith added that the lighting could be shielded to prevent glare. Mr. Smith advised that he thought if the language was left in the ordinance on lighting, it would “give some teeth” with enforcement. Glenn Bowen noted that he thought lighting should be allowed on boatslips but restrictions should be placed upon them for the direction of the lighting.

Barry Sanders confirmed that it was a concensus to completely remove "D". Rick Cox and Richard English mentioned that they would feel comfortable striking "D".

DISCUSSION ON SQUARE FOOTAGE ALLOWANCE

Richard English explained to the Commissioners the proposed changes to the square footage allowance for appendages and finger piers, as follows:

4-14-8 PIER AND DOCKS

K. Appendages and finger piers for private piers and docks

- (1) Appendages considered appropriate include but are not limited to "L" or "T" head configurations.
- (2) Appendages and finger piers shall be constructed at a 90 degree angle to the main body of the dock or pier.
- (3) Appendages and finger piers shall be located channelward of mean low water (MLW) on tidal shorelines.
- (4) The appendages shall not exceed, in the aggregate, four hundred (400) square feet and with no dimension exceeding twenty (20) feet in length. The main body of the dock or pier at the location of the appendage shall not be included in the maximum twenty (20) foot dimension as well as the maximum 400 square foot area of the appendage.
- (5) Finger piers five (5) feet or less in width shall not be considered an appendage and shall not exceed twenty (20) feet in length.

Rick Cox asked if it really mattered what angle the end of the pier was built. Since these are not specific to VMRC regulations, he wondered if Richmond County would want to regulate if the square footage requirements are met. Jesse Clark agreed that a homeowner may want a different shaped pier. Richard English mentioned that it is based on aesthetics and would help with enforcement. Clifton Jenkins asked about square footage on a commercial pier. Richard English said it would be completely different since these regulations would be for private piers. Rick Cox asked why the appendages needed to be located channelward of mean low water and Mr. English indicated that anything landward of mean low water would be considered decking and not an appendage.

DISCUSSION ON BOAT LIFTS

Richard English presented to the Commissioners the proposed changes to Boat Lifts as follows:

4-14-8 PIERS AND DOCKS

M. Boat Lifts

Three boat or personal watercraft lifts may be allowed on a pier or dock provided lifts positioned outside of a covered slip will be low profile in design where as structural elements of the lift devices do not extend more than 6 feet above the surface of the pier or dock. Only two of these lifts, including the lift positioned under a covered boat slip may utilize pilings that are in addition to those that are part of the pier construction itself. The lifts may utilize davits, slings, cradles or similar devices to remove boats or personal watercrafts from the water.

Richard English noted that this language needed to be clear that the boat lift under the covered boat slip was not in addition to the three boat lifts already allowed.

DISCUSSION ON DEFINITIONS TO BE ADDED TO ORDINANCE

Richard English presented to the Commissioners the proposed additions to Definitions in the zoning ordinance, as follows:

5-3 DEFINITIONS

Appendage: A platform which may be floating that is attached to a pier or dock structure. Qualifying structures that meet the definitions of a catwalk or finger pier shall not be considered an appendage.

Catwalk: A walkway within a covered boat slip or boathouse that is less than or equal to five (5) feet in width.

Covered Boat Slip: An open-sided roof structure for the storage of a single boat, boat slip or boat lift.

Finger Pier: A walkway that is constructed adjacent and perpendicular to a pier or dock where the maximum width parallel to the main run of a pier shall be five (5) feet and the maximum length is twenty (20) feet.

Rick Cox noted that on the covered boat slip definition, he thought it should read “An open-sided roof structure for the storage of a single watercraft.” After discussion, the catwalk definition will be adjusted to “A walkway that is less than five feet in width within a covered boat slip or

boathouse.” Richard English did add that there are some existing boathouses within the County that were built prior to the new regulations, therefore they are grandfathered.

Rick Cox commended Richard English for putting together the recommendations for covered boat slips, etc. Barry Sanders added that he would get a revised set of recommendations to the Commissioners for further discussion at the January meeting. Mr. Sanders noted that the Board of Supervisors would hold a public hearing at a later date on the side yard setbacks for piers and docks together with any recommendation for the covered boat slips.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

There being no further business, Jesse Clark adjourned the meeting.

Respectfully submitted,

Hope Mothershead
Commission Secretary