

**WORK SESSION AGENDA**

**POQUOSON PLANNING COMMISSION  
MONDAY, MARCH 15, 2021, 6:00 P.M.  
COUNCIL CHAMBERS – 500 CITY HALL AVENUE**

**Discussion Items**

- 1. Proposed Constrained Capital Improvements Plan.**
- 2. Update on Amendment to Article I of the Zoning Ordinance regarding the definition of *Farmers Markets/Open Air Markets*.**
- 3. Further discussion of possible code amendments.**



**CITY OF POQUOSON**  
**Department of Community Development**

Planning Commission Work Session

March 15, 2021

Proposed Changes to Article I of the Zoning Ordinance regarding "Farmers' Markets"

Section 1-3 (Definitions)

~~Farmer's market: A place where farmers or other people who are engaged in truck farming gather regularly for the purpose of selling produce and goods produced at their farms. The sale of seafood is included in this definition.~~

...

Open-Air Market: An occasional or periodic market where temporary stalls or tables are erected in an open area and where one or more individuals offer goods for sale to the public, including farmed produce, seafood, handicrafts, antiques, and other retail goods. This definition shall not be construed to include sidewalk sales by retail merchants, bake sales, or garage/yard sales held in conjunction with and incidental to residential uses or sponsored and conducted by religious, civic, or charitable organizations on their own property.

Section 10-2 (B-2 Permitted and Conditional Uses)

(a) (9) The outdoor display and sale of seasonal items, when deemed by the zoning administrator as an accessory use to a primary commercial use; as a primary use by a bona fide non-profit civic group organized and located in the City of Poquoson; or by a farmer's ~~market~~ fruit or produce stand.

...

(b) (9) ~~Flea markets~~ Open-Air Markets.

\*Section 10-2(a) refers to uses allowed by right. Section (b) refers to conditional uses.

# CITY OF POQUOSON



## POQUOSON PLANNING COMMISSION

March 15, 2021

**AGENDA**

**POQUOSON PLANNING COMMISSION  
THURSDAY, MARCH 15, 2021, 7:00 P.M.  
COUNCIL CHAMBERS – 500 CITY HALL AVENUE**

**A. CALL TO ORDER**

**B. INVOCATION & PLEDGE OF ALLEGIANCE**

**C. APPROVAL OF THE MINUTES**

- 1. Regular Session – October 19, 2020**
- 2. Work Session – January 11, 2021**

**D. AUDIENCE FOR VISITORS**

**E. PUBLIC HEARINGS**

- 1. Proposed Constrained Capital Improvements Plan.**

**F. ELECTION OF OFFICERS**

**G. COMMUNICATIONS AND CORRESPONDENCE**

**H. ADJOURN**



The Poquoson Planning Commission met in a regular session on Monday, October 19, 2020, in the Council Chambers located at 500 City Hall Avenue.

PRESENT: Commissioner Anjie Emmett, Chairwoman  
Commissioner Bonnie Shriver, Vice Chairwoman  
Commissioner Gregory Deaver, Member  
Commissioner Leigh Fenigsohn, Member  
Commissioner Kevin Brennan, Member  
Commissioner Olivia Griebel, Member  
Commissioner Thomas Stephens, Member

Charles W. Horton, Director of Community Development  
Dannan O'Connell, Planner  
Danielle Quick, Environmental Compliance Officer  
Andy Mullins, City Attorney's Office

ABSENT: None

#### REGULAR SESSION

The regular session of the Planning Commission was called to order by Chairwoman Emmett at 7:00 p.m.

#### INVOCATION AND PLEDGE OF ALLEGIANCE

Chairwoman Emmett led the audience in the Lord's Prayer and the Pledge of Allegiance.

#### APPROVAL OF THE MINUTES

Commissioner Deaver made a motion to approve the minutes as written.

Commissioner Stephens recommended a change on page 3. Vice Chairwoman Shriver recommended three additional edits to the August 17, 2020 minutes.

Commissioner Deaver remitted his previous motion, and moved, seconded by Commissioner Brennan, that the minutes of the September 21, 2020 regular meeting be approved with edits.

Recorded vote on the motion:

YES: Chairwoman Emmett, Vice Chairwoman Shriver, Commissioner Brennan, Deaver, Fenigsohn, Griebel, and Stephens

NO: None

ABSTAIN: None

### AUDIENCE FOR VISITORS

Chairwoman Emmett opened the audience for visitors. There being no speakers, the audience for visitors was closed.

### PUBLIC HEARINGS

Chairwoman Emmett stated that there would not be a public hearing for the October 19, 2020 Planning Commission Meeting. The Commission was to consider the request by the Board of Directors of Poquoson Animal Welfare Sanctuary from the September 21, 2020 Regular Session.

### CONSIDERATION

- 1. Request by the Board of Directors of Poquoson Animal Welfare Sanctuary, applicants, to modify their existing Conditional Use Permit for an animal sanctuary at 181 Messick Road, Tax Map Parcel 32-1-44, Zoned R-2 (residential)**

Mr. Wally Horton presented information regarding amendments to the Conditional Use Permit for the Poquoson Animal Welfare Sanctuary.

The commission deliberated the proposed amendments to the existing Conditional Use Permit at 181 Messick Road and concerns over parking, property access, and impact to neighboring properties.

Chairwoman Emmett made a motion, seconded by Commissioner Brennan to modify the existing Conditional Use Permit with the following edits:

- Condition 1: Amend hours of operation to 8am to 8pm daily with activities beyond these hours limited to no more than one volunteer with a contingency for medical emergencies, which would require more than one volunteer.
- Condition 11: Strike from the Conditional Use Permit.

Recorded vote on the motion:

YES: Commissioners Griebel and Brennan, and Chairwoman Emmett

NO: Vice Chairwoman Shriver, Commissioner Deaver, Fenigsohn, and Stephens

Commissioner Stephens made a motion, seconded by Vice Chairwoman Shriver, to modify the existing Conditional Use Permit with the following edits:

- Condition 1: Amend hours of operation to 8am to 8pm daily with activities beyond these hours limited to no more than one volunteer with a contingency for medical emergencies, which would require more than one volunteer.

YES: Chairwoman Emmett, Vice Chairwoman Shriver, Commissioner Fenigsohn, Deaver, and Stephens

NO: Commissioners Brennan and Griebel

NEW BUSINESS

City staff informed the Planning Commission that the Conditional Use Permit for a Farmer's Market, presented to the Commission on September 21, 2020, had been approved as written by City Council.

COMMUNICATIONS AND CORRESPONDENCE

Ms. Erin Mixon, the new administrative assistant for Community Development, was introduced to the commission.

Commissioner Fenigsohn noted she attended the American Planning Association virtual conference.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:14 p.m.

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Anjie L. Emmett, Chairwoman

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Danielle Quick, Deputy Clerk





The Poquoson Planning Commission met in a work session on Thursday, January 21, 2021 in the Council Chambers located at 500 City Hall Avenue.

**PRESENT:** Commissioner Anjie Emmett, Chairwoman  
Commissioner Kevin Brennan, Member  
Commissioner Thomas Stephens, Member  
Commissioner Gregory Deaver, Member  
Commissioner Olivia Griebel, Member

Charles Horton, Director of Community Development  
Dannan O'Connell, Planner  
Danielle Quick, Clerk

**ABSENT:** Commissioner Leigh Fenigsohn, Member  
Commissioner Bonnie Shriver, Vice Chairwoman

Chairwoman Emmett called the work session to order at 6:00 p.m., explaining that the agenda included two discussion items. This first item for discussion would be an amendment to Section 1-3 City Zoning Ordinance regarding the definition of 'Farmers Market'.

Dannan O'Connell explained the background for why the commission was hearing the proposed amendment to the definition of 'Farmers Market'. He addressed that a recent Conditional Use Permit was issued and during that public hearing noting the importance of a definition to be included in city code. Mr. O'Connell addressed three questions to the commission, "Should the City definition of 'Farmers Markets' be made more inclusive of homemade/handicraft sales, such as those taking place at the market currently permitted on Victory Blvd?" "Should the City define 'Flea Markets' as separate from farmer's markets? How would this impact the existing Poquoson Farmers Market?" and "Should the Poquoson Farmers Market CUP be amended to be more inclusive of retail/handicraft uses, outside the traditional scope of a 'farmers market'?"

Commissioner Stephens spoke to the definitions of 'Farmers Markets' in other cities and asked if a permit to operate a 'Farmers Market' would be required. Mr. O'Connell clarified that a 'Farmers Market' could operate by right in the B-2 district, but the CUP was issued due to operating in the R&D district. Commissioner Stephens addressed concerns about food trucks and requirements for health permits and recommended that the commission include requirements of health certificate in the amended definition.

The commission discussed the difference between a 'Farmers Market' and a 'Flea Market' and whether the City of Poquoson needed to define both, or combine them.

Commissioner Griebel requested clarification of the goal of the code amendment and Mr. Horton clarified that the goal of the amendment was to ensure that the definition was broad enough to ensure the current 'Farmers Market' is compliant with the city code.

Chairwoman Emmett stated she spoke with marketplace organizers, noting that there is difficulty making produce available during their events. She discussed the use of 'Open Air Markets' from other municipalities and suggested we amend the code to classify 'farmers market' and 'flea market' under the definition of 'open air market'.

Chairwoman Emmett introduced the second order of business as discussion of amendment to Chapter 8, VIII.2 and VIII.4 of the City Code regarding the PUD articles.

Mr. Horton addressed potential PUD amendments including the need for definition of landscaping, and brought to the commission suggested definitions of landscaping to include the Department of Environmental Quality Restoration Planting Rates that includes one canopy tree, two understory trees and three shrubs per 400 square feet of disturbance. The commission discussed the PUD articles and review of what definitions and potential amendment discussions need to be further addressed, mixed use and waterfront.

The commission discussed the impact of COVID-19 on meetings and the use of virtual meetings in light of increased concerns.

**ADJOURNMENT**

There being no further discussion, the work session was adjourned at approximately 6:50 p.m.

ADOPTED: \_\_\_\_\_

ATTESTE: \_\_\_\_\_

Danielle Quick, Clerk





# CITY OF POQUOSON

FINANCE DEPARTMENT

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996

March 15, 2021

**TO:** Chairperson Emmett and Members of the Planning Commission

**THROUGH:** Randy Wheeler, City Manager

**FROM:** Tonya O'Connell, Finance Director

**SUBJECT:** Constrained Capital Improvement Plan (CCIP)

We are pleased to present to you with the recommended Constrained Capital Improvements Plan (CCIP) for Fiscal Years 2022-2026 and Beyond. The CCIP, a multi-year planning document, provides input to the development of the annual budget for Fiscal Year 2022. The recommended plan presented to you for consideration is fiscally constrained by projected revenue which includes planned and potential debt financing. A summary of the recommended constrained project list by division/department can be found on page 5 of the document. Additionally you will find status updates to previously approved project on page 13 through page 16.

In the upcoming annual budget, we have included three projects that were established in the Master Infrastructure Plan (MIP). As you recall from the prior year, City Council established the MIP as a strategic priority which was completed on December 3, 2020. The first project at the direction of City Council is the Poquoson Middle School Turf Field Replacement. The second project is an inspection program by a marine structural engineer to assess access point conditions and provide recommended maintenance on the water access locations that contain boat ramps and launches. The final project is the move and upgrade to the Firth Field Fence which will improve service areas and ditch drainage for the facility overall.

The Poquoson Middle School Turf Field Replacement will be funded by debt service and included in the second borrowing. The second borrowing will be approximately \$3.4 Million in new debt and will be finalized on March 18, 2021. The new debt will cover \$2.9 Million needed to finalize the Poquoson Middle School Renovation and \$.4 Million for Poquoson Middle School Turf Field Replacement. A schedule of related projects that debt service has been authorized for can be found on page 4 of this document.

The engineering inspection and Firth Field Fence will be funded by available cash flow from the refinancing of part of the 2012 General Obligation Bond and the entire 2013 General Obligation Bond in July 2020. Additionally the available cash flow will fund construction-related expenditures associated with the second phase of the sidewalk project that is fully funded by the City.

If you have any questions related to the document or projects, Tonya O'Connell, Director of Finance will be available to answer any questions. Thank you once again for your assistance with completing the City's CCIP.





**CITY OF POQUOSON**  
**Department of Community Development**

**MEMORANDUM**

Date: March 15, 2021  
To: Planning Commission  
From: Dannan O'Connell, Planner  
Subject: Election of Clerk

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With the departure of Environmental Compliance Officer Danielle Quick, the Planning Commission's Clerk position is currently vacant. Therefore, City staff is recommending that Administrative Assistant and interim Environmental Officer Erin Mixon be appointed Clerk by the Planning Commission.

The position of Deputy Clerk would remain vacant until a new permanent Environmental Compliance Officer is found.