

**MINUTES OF THE  
PLANNING COMMISSION MEETING  
TOWN OF CHINCOTEAGUE, VIRGINIA  
OCTOBER 8, 2024 - 7:00 P.M. – Council Chambers**

**Commission Members Present:**

Mrs. Mollie Cherrix, Vice Chairperson  
Mr. David Britton  
Mr. Michael Dendler  
Mr. Steve Katsetos  
Mr. K. Savage, Councilman

**Commission Members Absent:**

Mr. Ray Rosenberger, Chairman  
Mr. Robert Shendock

**Staff Present:**

Mr. Michael T. Tolbert, P.E., Town Manager

**Call to Order**

Vice Chairwoman Cherrix called the meeting to order at 7:00 p.m.

**Invocation**

Councilman Savage offered the invocation.

**Pledge of Allegiance**

Vice Chairwoman Cherrix led in the Pledge of Allegiance.

**Public Participation**

Vice Chairwoman Cherrix opened the floor for public participation.

- Mrs. Patricia Farley, 3243 Lisa's Lane, spoke about the Sign Ordinance and the Mural Ordinance. She believes that the Sign Ordinance for political signs is excellent, except that the definition of political signs is too vague. She added that there is a provision in the Sign Ordinance for 1<sup>st</sup> Amendment signs that are by right allowed with a category of political cause. She thinks that the Ordinance looks at political "campaign" signs as opposed to just political signs. She explained further. She also stated that she was on the committee that contributed to the content of the mural at the old Showard Brother's location. She thinks this ordinance is excellent. There are 2 sections she is concerned about and wondered if they could be modified or eliminated. She advised that the first one is under Section 15.17.2, murals shall not be permitted under the primary façade of the structure and if its on the corner of the façade shouldn't have a mural. She commented further and added she would like to leave it up to the Planning Commission and the governing body. The other section she has concerns about is 6.17.6, murals must not contain wording of any kind. She also felt that the Planning Commission and Council could make that decision in this case. She added that this only covers murals and there are other forms of art and explained that there is someone who would like to build a sculpture for the Town. She suggested adding something about this. She is also concerned that murals could only be on private property. She stated that there are a lot of public art projects on public property. She added that water towers are a favorite art. She doesn't feel

this should be excluded. The Planning Commission and Council could make the decision about the appropriate location of the mural when it is reviewed.

### **Adoption of Agenda**

**Mr. Katsetos motioned, seconded by Mr. Dendler to adopt the agenda as presented. Unanimously approved.**

### **Approval of the Minutes**

**Mr. Britton motioned, seconded by Mr. Dendler to approve the minutes of the August 13, 2024, meeting as presented. Unanimously approved.**

### **Consider Modification to section 7.5.5 Political Signs**

Town Manager Tolbert explained that they had an inquiry at the Town office as to when they could erect a political sign. The Town Code is silent on that. He checked the State Code, and it doesn't appear that it cannot be done. The Ordinance Committee modified the Ordinance specifying a time frame prior to an election to erect a political sign. The Ordinance Committee discussed this and determined it should be 30 days prior to the date that the 1<sup>st</sup> legal vote could be cast. He further explained that the reason the Ordinance was crafted that way was if the General Assembly decided to change the date for early voting, the Town's Ordinance would still be valid because it is tied to the 1<sup>st</sup> day a vote can be cast rather than a specific time frame. He showed the ordinance and the addition. He read the Ordinance with proposed changes.

“Section 7.4.5 Political Campaign Signs - Owner of said parcel must give consent on the placement of such signs. Such signs shall not exceed 32 square feet in area and be located on private property. **Signs may not be placed or erected earlier than 30 days prior to the first day in which a vote may be legally cast for the subject election.** Political signs may not be placed in the sight distance triangle and shall be removed no later than 14 days after the election has occurred.”

Mr. Britton feels 30 days is sufficient. He asked when early voting starts.

Town Manager Tolbert advised it is 60 days prior, which means the signs will be out 90 days before an election.

There were further comments about where the signs are allowed to be placed.

Mr. Dendler referred to the difference between a sign and a flag and asked at what point would it be considered a sign, because it doesn't follow this kind of regulation.

Building and Zoning Administrator Bowden advised that with a sign, if it's less than 15sq.ft. you can put a sign or a flag on a flagpole in the front yard.

Town Manager Tolbert advised that the Ordinance Committee has approved and recommends the changes to Council.

**Mr. Britton motioned, seconded by Mr. Dendler to recommend the change to full council. All present were in favor and the motion was carried.**

Town Manager Tolbert advised that the public hearing has been advertised and the change will be in the public hearing at the workshop meeting, Thursday October 17<sup>th</sup>.

**Consider Mural Ordinance**

Town Manager Tolbert advised that the Town does not have an ordinance that addresses murals. He stated that guidelines should be set.

There was further discussion.

**Announcements or Comments**

There was none.

**Adjourn**

**Mr. Katsetos motioned, seconded by Mr. Dendler to adjourn. Unanimously approved.**

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Vice Chairwoman, Mollie Cherrix