

MINUTES
PAGE COUNTY PLANNING COMMISSION
October 25, 2016

Members Present:

Paul Otto, District 1	Steve Atkins, District 2
Donnie Middleton, District 2	Keith Weakley, District 3
James Holsinger, Secretary, District 4	Sue McAnulty, District 4
Jonathan Comer, Vice Chairman, District 5	Joshua Shifflett, District 5

Members Absent:

Bernie Miller, Chairman, District 1	James Turner, District 3
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Staff Present:

Stephanie Lillard
Tracy Clatterbuck

Call to Order:

Vice Chairman Comer called the October 25, 2016, Page County Planning Commission work session to order in the Board of Supervisors Room located at the Page County Government Center, 103 S Court Street, Luray, Virginia at 7:00 p.m. The call to order was followed by The Pledge of Allegiance and a Moment of Silence.

Adoption of Agenda:

Mr. Holsinger recommended the agenda be amended by adding Bylaw Comments under Unfinished Business. Mr. Holsinger made a motion to approve the agenda as amended and Mr. Shifflett seconded. The motion passed unanimously.

Citizen Comments on Agenda Items:

None

Unfinished Business:

A. Jeremy Baldwin Campground SUP Update

Mrs. Lillard stated the last update the Planning Commission (PC) received was the uncertainty of the requirement of drinking water. Mr. Baldwin was confident the Office of Drinking Water (ODW) would not be regulating; therefore, it would fall back to the Health Department (HD). After speaking to Mr. Jim Davis with the HD, he stated that was not the case and it should fall under the purview of the ODW. He interpreted the letter from ODW as there was some work that needed to be done on the well before ODW would regulate. Mr. Baldwin was advised of the conversation and was frustrated as he felt he had complied with the well and septic requirements. Mrs. Lillard advised both agencies that there was confusion between the two. Legal counsel was consulted on whether the Board of Supervisors (BOS) could act upon this application after the middle of November in which it was confirmed that they would need to take action at the November 15th meeting so the item was presented to the BOS for request to schedule the public hearing. After the discussion between the agencies, ODW came back and said if Mr. Baldwin is in agreeance to tap the well, there would be a series of testing that need to be done and as long as those came back okay, they would agree to regulate the water. Mr. Baldwin is scheduled to meet with ODW on November 3rd. Mrs. Lillard proposed that at the next PC meeting on November 8th, staff would inform the commission the result of that meeting in hopes that a recommendation can be made by the PC. If a recommendation cannot be determined that night, technically the BOS can act on the application without a recommendation from the PC per code. She is proposing a couple of different options to the BOS: 1) they deny the application with the understanding Mr. Baldwin will re-apply

immediately and entertain the idea of holding a joint public hearing between the PC and BOS to expedite the process. They could also consider waving or reducing the fee 2) They could approve the application with conditions such as installation of septic system be completed and operational permit be issued by the HD within a certain timeframe along with confirmation in writing that ODW will permit the water. Mr. Holsinger reminded the commission that through this process, Mr. Baldwin has learned he will not be able to operate the existing previously approved 45 sites until the water issue is resolved as it was a staff error in the way it was approved. Mr. Baldwin was offering bottled water for retail along with a hydrant at the check in. Mr. Holsinger questioned if after 180 days if the PC did not act on it didn't it move onto the BOS with a favorable recommendation. Ms. Clatterbuck responded that per the Zoning Ordinance, "failure of the Commission to report to the governing body within 180 days shall be deemed a referral without recommendation." Mrs. Lillard stated the purpose of her completing the timeline provided to the PC was mainly for the BOS because they were a little frustrated with the process and timing in which this application has gone through. In looking at the timeline, from when he requested the waiver to the time he completed the waiver there were several months in between. The letters from ODW and HD were dated back in June and July. Ideally, one would have hoped that he would have come back to the PC saying the dump station was installed and the water source was in place, but understandably he had a successful camping season in which probably kept him busy. But we can't beat ourselves up and there has to be some shared responsibility when it comes to fees and such. Vice Chairman Comer confirmed that this item would be on the agenda at the next PC meeting which will be their last opportunity for comment and/or recommendation. Mr. Otto requested the list of staff recommendations of options for Mr. Baldwin's application be provided to the commission at the next meeting. Vice Chairman Comer asked if the adjoining landowners would be notified of the next meeting even though it's not a public hearing. Mrs. Lillard noted that every time this has been on the agenda they have been notified even when it's not been a public hearing and she planned to do the same for the next meeting.

B. Zoning Committee Report

Mrs. Lillard began by stating the BOS had their public hearing for the commercial district changes in which she and Mrs. Somers were present at the meeting. Days prior to the public hearing, two supervisors received a two page letter that was shared amongst the board and county staff from a property owner who purchased property about ten years ago in the county with the intentions of developing it for a wedding venue. Due to some health reasons the project was put in hold. She contacted our office a few weeks ago stating they were ready to proceed. Mrs. Somers informed her that prior to the date of public hearing for the commercial district amendments that type of venue was simply not mentioned in the current code but there was a proposal on the table for that to change, which if approved would result in the venue only being permitted in the commercial district and not in agriculture or woodland conservation districts. Through all of this the home owner went ahead and applied for a business license for the venue. Her application was reviewed by Geary Showman, Acting Building Official, in which he determined he could not approve as there was no structure to be evaluated associated with the proposed venue as it was a very hypothetical situation. The application was also reviewed by VDOT and the HD whom also had concerns which was received in writing concerning items like traffic and restroom facilities. The intent of the commission with these changes was not to prohibit these things, but according to Mrs. Somers by calling it out and defining it in the commercial zoning and not calling it out in any of the other zoning districts it would prohibit it in the districts where it is not mentioned. Mr. Weakley questioned how the Boneta Bill came into play with this. Mrs. Lillard responded that she did consult with legal counsel on this and he said that is not related to this as the bill associates with crops. There was further discussion amongst the commission regarding the Boneta Bill.

Mr. Holsinger questioned if the home owner with the proposed wedding venue could be grandfathered and Mrs. Lillard replied no as there was no structure currently there. Legal counsel confirmed that Mrs. Somers was correct stating that once it was mentioned in a particular district, if not mentioned in the other districts it would not be allowed. Mrs. Lillard proposed to legal that if the commercial district amendment were approved, staff would then turn around and amend the agricultural and woodland conservation districts to allow the venues by special use permit in which legal counsel agreed to support that. There was concern amongst a few of the BOS as to why the commission was even making this proposed changes in regards to event/banquet facilities only being permitted in commercial zoning districts. Once again, the intent of the commission was not to prohibit these types of facilities. The commercial district amendments did pass by one vote in which Mr. Woodward and Mr. Foltz objected. Mr. Holsinger expressed his appreciation to staff for presenting the item to the BOS. Mrs. Lillard provided a copy of the next proposed amendments to the agricultural and woodland conservation district to include adding banquet facility and event facility to the districts by SUP. In looking at this change, she decided it may would be best to run though all of the approved uses in the commercial district to see if anymore needed to be added to the agricultural or woodland conservation districts. Staff are proposing the following changes to the agricultural zoning district:

- Permitted by right: Air Bed & Breakfast Establishments, Hostels, and Cabin Rentals
- Permitted by SUP: Banquet Facility & Event Facility, Farmers Market, Greenhouse, Self-Storage Unit, Farm implements sales with or without service facilities, Indoor and Outdoor Shooting Ranges, Auto Repair Service Facility/Public Garage, Brewery, and Winery.

Staff are proposing the following changes to the woodland-conservation zoning district:

- Permitted by right: Air Bed & Breakfast Establishments, Hostels, and cabin rentals
- Permitted by SUP: Banquet Facility and Event Facility, Auto Repair Service Facility/Public Garages, Indoor and Outdoor Shooting Ranges.

Mr. Otto recommended considering the whole list at the next PC meeting. Mrs. Lillard stated due to the timeline commitment with the BOS, she needed to know tonight whether these recommendations could go to public hearing on November 22. After discussion, the commission agreed to set this for public hearing. Vice Chairman Comer stated the items could be discussed at the next meeting prior to the hearing regards to whether it would be permitted by right or SUP.

C. Comp Plan Committee Report

Mr. Otto noted the committee was making progress in obtaining the data. After discussion, the next meeting was scheduled for November 16, 2016 at 4:00 p.m. in Mrs. Lillard's office. Mr. Otto requested she contact Mr. Miller and he would contact the others to let them know about the meeting.

D. Subdivision Committee Report

Mr. Weakley stated he was still working on wording.

E. Bylaw Comments

Mr. Holsinger reminded the commission the reason the bylaws were distributed was due to attendance concerns. He encouraged all to read over them. He noted that under Article XII Suspension of Rules, if we don't have a quorum you can't open the meeting therefore you cannot suspend the rules.

New Business:

A. Approval of Minutes- October 11, 2016

Mr. Shifflett made a motion to approve the September 27, 2016 minutes. The motion was seconded by Mr. Atkins. The motion passed unanimously.

Open Citizen Comment Period:

None

Chairman's Report:

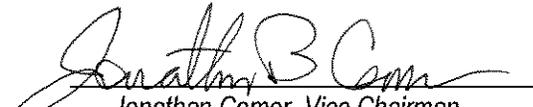
Vice Chairman Comer thanked the staff for working on the commercial district amendments.

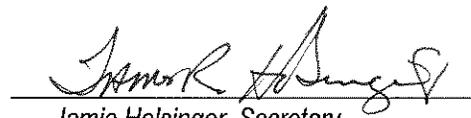
Clerk's Report:

None

Adjourn:

Vice Chairman Comer adjourned the meeting at 8:40 p.m.


Jonathan Comer, Vice Chairman


Jamie Holsinger, Secretary