

MINUTES
PAGE COUNTY PLANNING COMMISSION
February 26, 2019

Members Present

Bernie Miller, District 1	Paul Otto, District 1
Steve Atkins, District 2	Donnie Middleton, District 2
Jared Burner, District 3	Keith Weakley, Vice Chairman, District 3
James Holsinger, Secretary, District 4	Jonathan Comer, Chairman, District 5

Members Absent

None

Staff Present

Tracy Clatterbuck

Call to Order

Chairman Comer called the February 26, 2019 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. Miller made a motion to approve the agenda as presented. The motion was seconded by Mr. Otto. The motion passed unanimously.

Public Hearing

A. Shawnee Farms, LLC Special Use Permit Application

Ms. Clatterbuck presented the following report:

Shawnee Farms, LLC has filed an application for a SUP to operate an event facility located at 2816 Old Forge Road, Luray, VA. The parcel is identified by tax map number 31-A-70, contains 82.85 acres, and is currently zoned as Agriculture (A-1). The property is improved with a farmhouse, a large barn, and other numerous accessory structures. The farmhouse is currently approved and licensed as a short-term tourist rental.

The applicant is proposing to use the existing barn, the existing farmhouse, and associated areas as an event/banquet facility. The barn contains approximately 5,896 square feet. The associated areas include a structure to the north or in front of the barn, where a portion will be used for restrooms and dressing rooms, and open areas adjacent or near the barn which will be used for parking. Pursuant to § 125-10 D. (16) of the Page County Zoning Ordinance, banquet facilities and event facilities require a SUP.

Staff has received the following comments from other agencies regarding the request:

- Virginia Department of Transportation (VDOT) – Per David Atwood with VDOT, the entrance serving the event facility is required to be a moderate volume commercial entrance. This entrance has been permitted by VDOT but has yet to be paved, which is a requirement of a moderate volume commercial entrance. VDOT has no objection to using the entrance in its temporary gravel state with the understanding that it must be paved within ONE (1) year of SUP approval.

- Health Department- Per Gerald Dovel with the Health Department, they have no issues with the proposal. Permits will be required for proper sewage disposal and possible water system upgrades.
- Building Official- Per Don Williams, Building Official, maximum occupant loads are as follows and noted that permits are required for any code related enhancements:
Barn events- First level: 140 persons and Second level: 100 persons
Farmhouse events- 49 persons

Adjoining property owners were notified pursuant to state code. Staff only received one comment sheet from an adjoining property owner in which they had no objection to the request.

Regarding the Page County Comprehensive Plan, this property falls within the "Agricultural Protection Tier". According to Volume 1, Section 2.2 of the Comp Plan, "the purpose of the Agricultural Protection Tier is to protect agricultural uses and preserve the rural lifestyle and sense of community that has long defined Page County. This tier is intended primarily for very low-density residential development, large lot rural development and agricultural uses. Non-residential uses would serve the needs of residents in the surrounding rural areas and generally be limited to agriculture-related businesses." Low intensity employment centers may be permitted if access is adequate and the use is compatible with surrounding uses. Also, Chapter 3, Goal 3, Section 3.22 states, "Encourage and support the development and retention of agriculturally-related businesses as a valued element of the Page County economy." Lastly, Chapter 3, Goal 6, Section 6.7 states, "Encourage the attraction of new business activities that enhance existing industrial and commercial activities in the county, particularly active farming and forestry operations." With consideration to the designation, by TLC, who named Luray/Page County the #2 of 10 beautiful destination wedding locales, Page County has done well in the industry and continues to build momentum and attract tourists.

Staff recommends the commission make recommendation of approval to the Board of Supervisors with the following proposed conditions:

1. THIS SPECIAL USE PERMIT IS TRANSFERABLE, IT WILL MEET THE REQUIREMENTS IN AND HAVE PRIVILEGES PROVIDED FOR IN THE PAGE COUNTY ZONING ORDINANCE, AND ANY ORDINANCE AMENDMENTS FOR THE PERIOD SET FORTH WITHIN THE PARAMETERS IN THIS SPECIAL USE PERMIT. THE SPECIAL USE PERMIT SHALL REMAIN WITH THE PROPERTY FOR A PERIOD OF FIFTY (50) YEARS.
2. SHAWNEE FARMS, LLC, OR ITS SUCCESSOR AND/OR ASSIGNS, SHALL BE IN COMPLIANCE WITH ALL COUNTY ORDINANCES, THE UNIFORM STATEWIDE BUILDING CODE, AND ALL STATE AGENCY REGULATIONS.
3. THE BUSINESS SHALL APPLY FOR AND MAINTAIN A VALID PAGE COUNTY BUSINESS LICENSE.
4. THIS SPECIAL USE PERMIT IS FOR THE USE OF THE EXISTING BARN, THE EXISTING FARMHOUSE, A STRUCTURE TO THE NORTH OR IN FRONT OF THE BARN, WHERE A PORTION WILL BE USED FOR RESTROOMS AND DRESSING ROOMS, AND OPEN AREAS ADJACENT OR NEAR THE BARN WHICH WILL BE USED FOR PARKING.
5. PER THE PAGE COUNTY BUILDING OFFICIAL, MAXIMUM OCCUPANT LOADS ARE AS

FOLLOWS:

BARN EVENTS- FIRST LEVEL: 140 PERSONS AND SECOND LEVEL: 100 PERSONS

FARMHOUSE EVENTS- 49 PERSONS

6. ANY OUTDOOR FIRES ON THE PROPERTY SHALL BE ENCLOSED BY A FIRE RING. ALL FIRE RINGS SHALL BE ENCLOSED BY A NON-FLAMMABLE MATERIAL AT LEAST 8" IN HEIGHT.
7. ANY LIGHTING THAT IS PROVIDED ON THE PROPERTY WILL BE DIRECTED DOWNWARDS, SO AS NOT TO PRODUCE A GLARE ONTO ADJOINING PROPERTIES OR ROADS.
8. THIS SPECIAL USE PERMIT MAY BE REVOKED UPON MATERIAL NONCOMPLIANCE WITH THE TERMS OF THE PERMIT, OR UPON VIOLATION OF ANY OTHER RELEVANT TERMS OF THE ZONING ORDINANCE OR ANY OTHER ORDINANCES OF THE COUNTY OF PAGE, VIRGINIA. HOWEVER, PRIOR TO THE COMMENCEMENT OF ANY ACTION TO REVOKE THIS PERMIT, THE COUNTY SHALL NOTIFY THE PERMIT HOLDER IN WRITING OF THE MATERIAL IN NONCOMPLIANCE OR VIOLATION, AND THE PERMIT HOLDER SHALL HAVE THIRTY (30) DAYS THEREAFTER TO CURE THE MATERIAL NON-COMPLIANCE OR VIOLATION. THE NOTICE SHALL BE DEEMED GIVEN WHEN HAND DELIVERED TO THE PERMIT HOLDER OR WHEN MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE PERMIT HOLDER.
9. ANY CHANGE OF USE OR EXPANSION NOT INCLUDED IN THIS SPECIAL USE PERMIT WILL REQUIRE AN ADDITIONAL, NEW, OR MODIFIED SPECIAL USE PERMIT AS REQUIRED BY THE PAGE COUNTY ZONING ORDINANCE AT THAT TIME.
10. THE ZONING ADMINISTRATOR OR THEIR DESIGNATED REPRESENTATIVE MAY VISIT THE SITE AT ANY TIME TO ENSURE COMPLIANCE WITH THE SPECIAL USE PERMIT.
11. PER VDOT REQUIREMENTS PROVIDED TO THE APPLICANT, THE ENTRANCE SERVING THE EVENT FACILITY IS REQUIRED TO BE A MODERATE VOLUME COMMERCIAL ENTRANCE. THIS ENTRANCE HAS BEEN PERMITTED BY VDOT BUT HAS YET TO BE PAVED AS OF 1/18/2019. VDOT HAS NO OBJECTIONS TO USING THE ENTRANCE IN ITS TEMPORARY GRAVEL STATE WITH THE UNDERSTANDING THAT IT WILL BE REQUIRED TO BE PAVED WITHIN ONE YEAR FROM THE DATE THE SPECIAL USE PERMIT IS GRANTED APPROVAL. THIS CONDITION IS SUBJECT TO MODIFICATION IN WRITING FROM VDOT.

Chairman Comer opened the public hearing for comment. There being no speakers, they public hearing was closed.

Mr. Miller asked for clarification on the mixed use (short term rental and events) of the farmhouse. Ms. Clatterbuck explained that there was a dual or mixed use group associated with the farmhouse. The short term rental is permitted for 16 occupants, and the event space is permitted for 49 occupants per Don Williams.

Mr. Holsinger made a motion to recommend approval of the Shawnee Farms, LLC special use permit application to the Page County Board of Supervisors. The motion was seconded by Mr. Otto. The motion passed by a roll call vote of 8-0.

New Business

A. Update on Planning Commission Appointments

Ms. Clatterbuck noted that vacancies still exist in District 4 and 5. She urged the commission to send interested candidates to the Board of Supervisor representative.

B. Election of Officers

Mr. Holsinger made a motion to nominate Keith Weakley as Chairman. The motion was seconded by Mr. Otto. Mr. Holsinger made a motion to close the floor nominations and Mr. Miller seconded. The motion passed unanimously. The vote was unanimous (8-0).

Mr. Otto made a motion to nominate Bernie Miller as Vice Chairman. The motion was seconded by Mr. Weakley. Mr. Holsinger made a motion to close the floor nominations and Mr. Miller seconded. The motion passed unanimously. The vote was unanimous (8-0).

Mr. Weakley made a motion to nominate Jamie Holsinger as Secretary. The motion was seconded by Mr. Otto. Mr. Atkins made a motion to close the floor nominations and Mr. Miller seconded. The motion passed unanimously. The vote was unanimous (8-0).

Mr. Miller made a motion to elect Tracy Clatterbuck as clerk. The motion was seconded by Mr. Holsinger. Mr. Holsinger made a motion to close the floor nominations and Mr. Atkins seconded. The motion passed unanimously. The vote was unanimous (8-0).

C. Adoption of Minutes- January 8, 2019 & January 22, 2019

Mr. Otto requested that on the January 22, 2019 minutes, page two, third paragraph, last sentence, that the question mark be deleted and replaced with a period. Mr. Holsinger made a motion to adopt the January 22, 2019 minutes as amended, and to adopt the January 8, 2019 minutes as presented. The motion was seconded by Mr. Atkins. The motion passed unanimously.

D. Edson Reid, Jr. Special Use Permit Application

Ms. Clatterbuck presented the following report:

Edson Reid, Jr. has filed an application for a SUP to place a manufactured home in the Land of Shenandoah Subdivision located at 149 Sharon Drive, Shenandoah, VA. The parcel is identified by tax map number 96A2-1-C29, contains 0.7062 of an acre, and is zoned as Residential (R). The property is currently vacant.

Pursuant to § 125-11 D.(3) of the Page County Zoning Ordinance, a manufactured home in a subdivision zoned Residential (R), is only allowed by a special use permit. Section 125-29 of the Page County Zoning Ordinance, states the commission shall consider the following criteria prior to recommending the permit: (A) The existence of any restrictive covenants prohibiting the location of manufactured homes in the subdivision, and if any such covenant exists at the time of application for the special use permit, then such application shall be denied (B) The number of manufactured homes existing in the subdivision for which application is being made (C) Consent of adjoining landowners (D) The position of other landowners in the subdivision, including any position taken by the property owners association of the subdivision (E) Other criteria which may assure the enforcement of any other provisions of this section and the intent of this section.

The subdivision currently contains many mobile/manufactured homes. The proposed mobile home has little to no impact on the surrounding area. The adjoining properties are either vacant or similar in use. On August 18, 2009, the Page County Board of Supervisors granted a special use permit to Mr. Reid for placement of a manufactured home on this same lot. However, Mr. Reid never followed through with installing the manufactured home. Pursuant to § 125-54 E(3) of the Page County Zoning Ordinance, any special use permit granted shall be null and void two years after approval by the governing body if the use or development authorized by the permit has not begun.

Staff has received the following comments from other agencies regarding the request:

- Virginia Department of Transportation (VDOT) – Per Ralph Mowry Jr., there are no objections to the request.
- Health Department- Per Nick Black with the Health Department, there are no objections to the request.
- Building Official- Per Don Williams, Page County Building Official, there are no objections to the request.

Regarding the Page County Comprehensive Plan, Volume 1, Chapter 3, Policy 8.1 states, "Encourage and support initiatives that upgrade the quality of life and standard of living for residents, including adequate and affordable housing." Also, policy 8.3 states, "Encourage adequate affordable housing opportunities for low-to moderate-income residents of Page County and to those working and desiring to live in Page County."

Staff is requesting that the special use permit be scheduled for public hearing at the Planning Commission work session on March 26, 2019. Staff is also proposing the following draft conditions:

1. THIS SPECIAL USE PERMIT IS TRANSFERABLE, IT WILL MEET THE REQUIREMENTS IN AND HAVE PRIVILEGES PROVIDED FOR IN THE PAGE COUNTY ZONING ORDINANCE, AND ANY ORDINANCE AMENDMENTS FOR THE PERIOD SET FORTH WITHIN THE PARAMETERS IN THIS SPECIAL USE PERMIT. THE SPECIAL USE PERMIT SHALL REMAIN WITH THE PROPERTY FOR A PERIOD OF FIFTY (50) YEARS.
2. EDSON REID JR. OR ITS SUCCESSOR AND/OR ASSIGNS, SHALL BE IN COMPLIANCE WITH ALL COUNTY ORDINANCES, THE UNIFORM STATEWIDE BUILDING CODE, AND ALL STATE AND FEDERAL AGENCY REGULATIONS.
3. ANY CHANGE OF USE OR EXPANSION NOT INCLUDED IN THIS SPECIAL USE PERMIT WILL REQUIRE AN ADDITIONAL, NEW, OR MODIFIED SPECIAL USE PERMIT AS REQUIRED BY THE PAGE COUNTY ZONING ORDINANCE AT THAT TIME.
4. THIS SPECIAL USE PERMIT MAY BE REVOKED UPON MATERIAL NONCOMPLIANCE WITH THE TERMS OF THE PERMIT, OR UPON VIOLATION OF ANY OTHER RELEVANT TERMS OF THE ZONING ORDINANCE OR ANY OTHER ORDINANCES OF THE COUNTY OF PAGE, VIRGINIA. HOWEVER, PRIOR TO THE COMMENCEMENT OF ANY ACTION TO REVOKE THIS PERMIT, THE COUNTY SHALL NOTIFY THE PERMIT HOLDER IN WRITING OF THE MATERIAL IN NONCOMPLIANCE OR VIOLATION, AND THE PERMIT HOLDER SHALL HAVE THIRTY (30) DAYS THEREAFTER TO CURE THE MATERIAL NON-COMPLIANCE OR VIOLATION. THE NOTICE SHALL BE DEEMED GIVEN WHEN HAND DELIVERED TO THE PERMIT HOLDER OR WHEN MAILED BY

CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE PERMIT HOLDER.

5. THE ZONING ADMINISTRATOR OR THEIR DESIGNATED REPRESENTATIVE MAY VISIT THE SITE AT ANY TIME TO ENSURE COMPLIANCE WITH THE SPECIAL USE PERMIT.
6. THIS SPECIAL USE PERMIT SHALL BE NULL AND VOID IF THE MOBILE HOME IS REPLACED WITH ANY PERMITTED RESIDENTIAL DWELLING THAT IS ALLOWED WITHIN THE APPLICABLE ZONING DISTRICT.

Mr. Miller questioned if the property had public water and septic. Ms. Clatterbuck replied that the property had onsite well and septic. Mr. Miller questioned how he was able to place the home since the lot was less than 1.75 acres. Chairman Comer and Mr. Holsinger explained that the lot was deeded prior to June 2005 when the minimum lot size changed, which made the lot size non-conforming, and still buildable.

The commission agreed to schedule the public hearing for March 26, 2019.

E. Brian Stanley Special Use Permit Application

Ms. Clatterbuck presented the following report:

Brian Stanley has filed an application for a SUP to operate a home occupation that will offer used lawnmower (and other related lawn care equipment) sales and service in a detached garage located at 151 Sandy Hook Road, Luray, VA. The parcel is identified by tax map number 32-A-29A, contains 1.23 acres, and is currently zoned as Agriculture (A-1). In addition to the existing garage, this property is improved with a single family detached dwelling, a carport, and numerous accessory buildings.

This SUP would allow Mr. Stanley to operate a business that will offer used lawnmower (and other related lawn care equipment) sales and service. The business would be conducted out of the existing detached 28x28 garage. He is also proposing to use a designated 30x20 area near the existing carport as a storage area for lawnmowers and parts. This area will be shielded from the view of adjacent property owners. The public hours of operation would be Monday through Friday 6:00 p.m. until 8:00 p.m., and Saturday and Sunday from 9:00 a.m. until 4:00 p.m.

Pursuant to § 125-10 C.(3) of the Page County Zoning Ordinance, home occupations are permitted by-right. However, pursuant to § 125-15 B.(1)(e) of the Page County Zoning Ordinance, home occupations in an accessory building require a special use permit.

Staff has received the following comments from other agencies regarding the request:

- Virginia Department of Transportation (VDOT) – Per David Atwood with VDOT, the existing gravel entrance at this site meets the minimum sight distance standards of a low volume commercial entrance and is adequate to serve the proposed use.
- Health Department- Per Gerald Dovel with the Health Department, there are no objections to the request.
- Building Official- Per Don Williams, Page County Building Official, there are no objections to the request.

Regarding the Page County Comprehensive Plan, this property falls within the "Agricultural Protection Tier". According to Volume 1, Section 2.2 of the Comp Plan, "the purpose of the Agricultural Protection Tier is to protect agricultural uses and preserve the rural lifestyle and sense of community that has long defined Page County. This tier is intended primarily for very low-density residential development, large lot rural development and agricultural uses. Non-residential uses would serve the needs of residents in

the surrounding rural areas and generally be limited to agriculture-related businesses. Low density suburban subdivisions and low intensity employment centers may be permitted if access is adequate and the use is compatible with surrounding uses. Levels of service depend on the density/intensity of a development and its location." Due to the low impact, the proposed business would not change the character of the property.

Also, Chapter 3, Goal 6, Section 6.2 states, "Encourage economic growth that is compatible with the County's rural character while generating a positive net cash flow for the county."

Staff is requesting that the special use permit be scheduled for public hearing at the Planning Commission work session on March 26, 2019. Staff is also proposing the following draft conditions:

1. THIS SPECIAL USE PERMIT IS TRANSFERABLE, IT WILL MEET THE REQUIREMENTS IN AND HAVE PRIVILEGES PROVIDED FOR IN THE PAGE COUNTY ZONING ORDINANCE, AND ANY ORDINANCE AMENDMENTS FOR THE PERIOD SET FORTH WITHIN THE PARAMETERS IN THIS SPECIAL USE PERMIT. THE SPECIAL USE PERMIT SHALL REMAIN WITH THE PROPERTY FOR A PERIOD OF FIFTY (50) YEARS.
2. BRIAN STANLEY OR ITS SUCCESSOR AND/OR ASSIGNS, SHALL BE IN COMPLIANCE WITH ALL COUNTY ORDINANCES, THE UNIFORM STATEWIDE BUILDING CODE, AND ALL STATE AND FEDERAL AGENCY REGULATIONS.
3. THE BUSINESS SHALL APPLY FOR AND MAINTAIN A VALID PAGE COUNTY BUSINESS LICENSE.
4. THIS SPECIAL USE PERMIT IS FOR USE OF THE EXISTING GARAGE AND THE DESIGNATED STORAGE AREA ONLY.
5. THE DESIGNATED STORAGE AREA SHALL BE SHIELDED FROM THE VIEW OF ADJACENT PROPERTIES AND THE PUBLIC RIGHT-OF-WAY.
6. ANY LIGHTING THAT IS PROVIDED ON THE PROPERTY WILL BE DIRECTED DOWNWARDS, SO AS NOT TO PRODUCE A GLARE ONTO ADJACENT PROPERTIES OR RIGHT-OF-WAYS.
7. THIS SPECIAL USE PERMIT MAY BE REVOKED UPON MATERIAL NONCOMPLIANCE WITH THE TERMS OF THE PERMIT, OR UPON VIOLATION OF ANY OTHER RELEVANT TERMS OF THE ZONING ORDINANCE OR ANY OTHER ORDINANCES OF THE COUNTY OF PAGE, VIRGINIA. HOWEVER, PRIOR TO THE COMMENCEMENT OF ANY ACTION TO REVOKE THIS PERMIT, THE COUNTY SHALL NOTIFY THE PERMIT HOLDER IN WRITING OF THE MATERIAL IN NONCOMPLIANCE OR VIOLATION, AND THE PERMIT HOLDER SHALL HAVE THIRTY (30) DAYS THEREAFTER TO CURE THE MATERIAL NON-COMPLIANCE OR VIOLATION. THE NOTICE SHALL BE DEEMED GIVEN WHEN HAND DELIVERED TO THE PERMIT HOLDER OR WHEN MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE PERMIT HOLDER.
8. ANY CHANGE OF USE OR EXPANSION OF SERVICES NOT INCLUDED IN THIS SPECIAL USE PERMIT WILL REQUIRE AN ADDITIONAL, NEW, OR MODIFIED SPECIAL USE PERMIT

AS REQUIRED BY THE PAGE COUNTY ZONING ORDINANCE AT THAT TIME.

9. THE ZONING ADMINISTRATOR OR THEIR DESIGNATED REPRESENTATIVE MAY VISIT THE SITE AT ANY TIME TO ENSURE COMPLIANCE WITH THE SPECIAL USE PERMIT.

Mr. Holsinger asked if the applicant had stated how he was proposing to shield the excess storage of parts. Ms. Clatterbuck noted that photos from the applicant were provided in the agenda packets, and as you will see the applicant already fenced in the area.

Mr. Otto suggested the hours of operation be included in the special use permit conditions. Ms. Clatterbuck replied that she would discuss with the applicant prior to the public hearing. Chairman Comer suggested they could either list the hours of operation or list the maximum hours of operation on a weekly basis.

There was also discussion amongst the commission regarding whether or not there should be a condition that limited the square footage of the garage (future additions). Mr. Holsinger stated he just wanted to make sure the neighbors knew what to expect out of the business specifically hours, use of the existing garage, is there a chance the fenced in storage area could become a building, etc. Based on the current draft conditions, it would appear he could improve the garage.

Chairman Comer noted that these conditions may change based on adjoining neighbor comments. Mr. Stanley stated that he has reached out to most of his neighbors and they do not have a problem with the business. His one neighbor (to the left) may have objections but she cannot see the front of the garage, and the storage area is not even on her side on the property.

Chairman Comer asked how Mr. Stanley felt about the hours of operation as a condition. He stated that he was okay with having them listed but did wish to remain flexible. He has a full time job, this business will be a part-time operation; however, there are days where he does not work due to the weather and would like to be able to open his proposed business should he come home early, etc. He requested that the hours of operation be limited to a maximum of 40 hours per week rather than specifying the hours.

Mr. Middleton stated he was most concerned with shielding of the excess parts. Mr. Stanley explained that he has already shielded it by installing the landscaping fabric on posts around the area.

The commission agreed to schedule the public hearing for March 26, 2019.

F. Gary Cabbage Special Use Permit Application

Ms. Clatterbuck presented the following report:

Gary Cabbage has filed an application for a SUP to operate a commercial sawmill, commercial chipping mill, and commercial shaving mill on property located at 575 River Road, Stanley, VA. The parcel is identified by tax map number 70-A-117B, contains 18.099 acres, and is zoned as Agriculture (A-1). This parcel is improved with the applicant's residence, two poultry houses, and other numerous farm buildings.

Pursuant to § 125-10 D(11) of the Page County Zoning Ordinance, commercial sawmills, commercial chipping mills, and commercial shaving mills are only permitted by special use permit. They must comply with § 125-30.4 of the Page County Zoning Ordinance which requires that the following is met:

- (1) No structure and no storage of lumber, logs, chips, or timber shall be located closer than 100 feet to any lot line.
- (2) No saw, planer, chipper, conveyor, chute, or other like machinery shall be located closer than 200 feet to any dwelling on other property in the area.

(3) No sawing, planing, chipping, or other operation, or other processing machinery shall be conducted between 7:00 p.m. and 7:00 am. No loading or unloading or processing of wood products shall occur between 12:00 midnight and 7:00 a.m.

(4) All timbering and milling operations, including reforestation or restoration and disposal of timber stumps, sawdust, and other debris, shall be conducted in accordance with Title 10.1 of the Virginia Code and the regulation of the Virginia Department of Forestry.

The applicant initially plans to install an 80x50 dryer for shavings. The applicant is proposing to install the dryer equipment at a minimum of 100 feet from all property lines. Additional structures and equipment related to the commercial sawmill, commercial chipping mill, and commercial shaving mill may be constructed at a later date. The applicant will be required to comply with the Page County Zoning Ordinance, the Uniform Statewide Building Code, the Virginia Department of Health, and any other local, state, and federal regulations.

Recommended items for consideration/discussion for the Planning Commission: Noise, number of employees, pickups/deliveries, hours of operation, dust, and buffering.

Staff has received the following comments from other agencies regarding the request:

- Virginia Department of Transportation (VDOT) – Per David Atwood, the existing entrance at this site meets the minimum sight distance standards of a low volume commercial entrance and is adequate to serve the proposed use.
- Health Department- Per Nick Black with the Health Department, there are no objections to the request as the proposed use does not interfere with the well/water system.
- Building Official- Per Don Williams, Page County Building Official, the Virginia Building Codes will apply to any structures and/or equipment placed on the property.

Regarding the Page County Comprehensive Plan, Volume 1, Chapter 3, Policy 6.10 states, "*Allow commercial and industrial uses in rural areas or near existing neighborhoods only if the use: a) Does not unduly impede traffic flow on roads or intersections; b) Is not, and does not, initiate strip development; c) Has direct access to adequate roads, railroads or airports; d) Meets all standards for water, sewage and waste disposal; and e) Does not adversely affect surrounding agricultural or residential activities.*"

Staff is requesting that the special use permit be scheduled for public hearing at the Planning Commission work session on March 26, 2019. Staff is also proposing the following draft conditions:

1. THIS SPECIAL USE PERMIT IS TRANSFERABLE, IT WILL MEET THE REQUIREMENTS IN AND HAVE PRIVILEGES PROVIDED FOR IN THE PAGE COUNTY ZONING ORDINANCE, AND ANY ORDINANCE AMENDMENTS FOR THE PERIOD SET FORTH WITHIN THE PARAMETERS IN THIS SPECIAL USE PERMIT. THE SPECIAL USE PERMIT SHALL REMAIN WITH THE PROPERTY FOR A PERIOD OF THIRTY (30) YEARS.
2. THE BUSINESS SHALL BE IN COMPLIANCE WITH § 125-30.4 (PORTABLE OR COMMERCIAL SAWMILLS, CHIPPING MILLS, OR SHAVING MILLS).
3. THE BUSINESS SHALL BE IN COMPLIANCE WITH ALL COUNTY ORDINANCES, THE UNIFORM STATEWIDE BUILDING CODE, AND ALL STATE AND FEDERAL AGENCY REGULATIONS.
4. THE BUSINESS SHALL APPLY FOR AND MAINTAIN A VALID PAGE COUNTY BUSINESS LICENSE.
5. ANY LIGHTING THAT IS PROVIDED ON THE PROPERTY WILL BE DIRECTED DOWNWARDS, SO

AS NOT TO PRODUCE A GLARE ONTO ADJOINING PROPERTIES OR ROADS.

6. THIS SPECIAL USE PERMIT MAY BE REVOKED UPON MATERIAL NONCOMPLIANCE WITH THE TERMS OF THE PERMIT, OR UPON VIOLATION OF ANY OTHER RELEVANT TERMS OF THE ZONING ORDINANCE OR ANY OTHER ORDINANCES OF THE COUNTY OF PAGE, VIRGINIA. HOWEVER, PRIOR TO THE COMMENCEMENT OF ANY ACTION TO REVOKE THIS PERMIT, THE COUNTY SHALL NOTIFY THE PERMIT HOLDER IN WRITING OF THE MATERIAL IN NONCOMPLIANCE OR VIOLATION, AND THE PERMIT HOLDER SHALL HAVE THIRTY (30) DAYS THEREAFTER TO CURE THE MATERIAL NON-COMPLIANCE OR VIOLATION. THE NOTICE SHALL BE DEEMED GIVEN WHEN HAND DELIVERED TO THE PERMIT HOLDER OR WHEN MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE PERMIT HOLDER.
7. ANY CHANGE OF USE OR EXPANSION OF SERVICES NOT INCLUDED IN THIS SPECIAL USE PERMIT WILL REQUIRE AN ADDITIONAL, NEW, OR MODIFIED SPECIAL USE PERMIT AS REQUIRED BY THE PAGE COUNTY ZONING ORDINANCE AT THAT TIME.
8. THE ZONING ADMINISTRATOR OR THEIR DESIGNATED REPRESENTATIVE MAY VISIT THE SITE AT ANY TIME TO ENSURE COMPLIANCE WITH THE SPECIAL USE PERMIT.

Ms. Clatterbuck concluded to note that David Reed was representing Mr. Cabbage and was present for any questions.

Mr. Holsinger questioned the condition of the access. Mr. Reed explained that access would be off the existing entrance already in place, in which VDOT does not have any objections to. Mr. Cabbage has a poultry business located on this same property. Mr. Reed reminded the commission that the supplemental regulations could not be changed without a code change. Any proposed conditions cannot be less restrictive than what is prescribed in § 125-30.4.

Mr. Atkins noted that many years ago Mr. Martin operated a chipping mill on this road sort of across from Mr. Cabbage's property.

Mr. Reed cautioned the commission that the applicant did not want to be limited to restrictions such as specific buildings, equipment, etc., as a condition of the permit, so he does not have to come back through the special use process again if he later decides to build a building to store the shavings, replace equipment, etc. Ms. Clatterbuck asked if Mr. Reed was comfortable with the wording of proposed condition #7, at which, he stated because it referenced expansion of services and not buildings or equipment, he felt it was worded okay.

Mr. Otto stated he had two concerns with the proposed business. He stated he felt it would be beneficial to the applicant and the county if he could put a little more forethought into the project, and come up with a concept site plan that would show a reasonable idea of what he may propose in the future. Mr. Otto also suggested that due to the nature of the operation, he suggested the commission obtain comments from fire and emergency services.

Mr. Reed stated he would take it back to the applicant to see if he would be willing to provide a building envelope. Mr. Reed also stated that he was concerned with the time that may take to obtain because on another matter regarding a fire suppression system, it was difficult to track down who had the authority to

make comments on those. If you are speaking of the local fire department that may be an option but if you are talking at the state level, that could take a while and they may not be able to provide comment. Mr. Otto clarified that he was speaking of the local fire department.

Mr. Miller questioned how loud the dryer was, and Mr. Reed replied he would have to check with him and get back to the commission. Mr. Burner asked if the chipping was going to come from trees or pallets, and Mr. Reed replied he was unsure. Ms. Clatterbuck noted that Mr. Cabbage was not new to the business as he has an active special use permit for property on Jimmy's Drive for the same type of operation.

The commission agreed to schedule the public hearing for March 26, 2019.

Unfinished Business

A. Solar Ordinance Committee Report

Chairman Comer stated they needed a volunteer to serve on the solar ordinance subcommittee, preferably, someone who voted for the projects back last year, which would mean it would need to be either himself or Mr. Atkins. Mr. Atkins is not interested in serving since he is already on another committee. Chairman Comer asked if the commission wanted to wait until the two vacant seats were appointed. Ms. Clatterbuck suggested they not hold up the process nor count on those seats being filled anytime soon. Chairman Comer agreed to serve on the subcommittee

Mr. Otto noted the subcommittee also needed to appoint a new chairman. He stated he was not interested in serving as chairman because he is already chairman of another committee. Mr. Holsinger stated he wouldn't mind holding the position temporarily until new members gained experience. The next meeting was scheduled for March 11, 2019 at 1:00 p.m.

B. Comp Plan Committee Report

Mr. Otto stated the committee had met on February 13, 2019 and had a very productive meeting reviewing chapters four and five. The next meeting is scheduled for March 7, 2019 at 2 p.m. They hope to complete the last four chapters of volume two. They will then begin to tackle volume one at the following meeting.

C. Subdivision Committee Report

Chairman Comer asked Mr. Burner to serve on the subdivision subcommittee in which he agreed. Mr. Weakley stated he would get with him to bring him up to speed on what the subcommittee had been working on.

Chairman's Report

Chairman Comer thanked the commission for their good attendance over the last two years during his time as chairman.

Clerk's Report

Ms. Clatterbuck provided a copy of the upcoming schedule for the certified planning commissioner program. If anyone is interested in attending, please let her know.

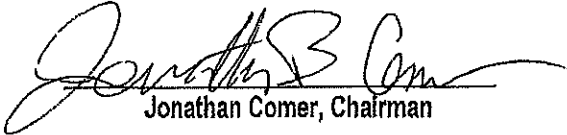
Ms. Clatterbuck informed the commission that there has been an increase in calls regarding yurts, tiny homes, and shipping containers (to be used as single family dwellings). Mr. Williams, Building Official, is also here to discuss the matter as the building code does not currently address these units as sleeping areas. Ms. Clatterbuck stated it really is something that we need to address in the zoning ordinance. She speculates that this way of living, due to the reduction in cost compared to standard homes, will only increase. Do we want these types of structures replaced with stick built, modular, etc. homes? She suggested the commission begin to consider putting an ordinance in place to address these types of units.

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Mr. Williams reiterated the need for a zoning ordinance. He questioned if that is how we wanted to welcome people to Page County? Currently, we really can't stop them without better regulation. Mr. Otto recommended staff pull surrounding ordinances to see how other localities are addressing these types of units.

Adjourn

Chairman Comer adjourned the meeting at 8:34 p.m.


Jonathan Comer, Chairman


Jamie Holsinger, Secretary

