

**MINUTES**  
**PAGE COUNTY PLANNING COMMISSION**  
June 11, 2019

**Members Present**

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

**Members Absent**

Keith Weakley, Chairman, District 3

**Staff Present**

Tracy Clatterbuck

**Call to Order**

Vice Chairman Miller called the June 11, 2019 Page County Planning Commission Regular Meeting 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. Comer made a motion to approve the agenda as presented. The motion was seconded by Mr. Otto. The motion passed unanimously (8-0).

**Public Hearing**

None

**Citizen Comments on Agenda Items**

None

**New Business**

**A. Adoption of Minutes- March 26, 2019, April 9, 2019, April 23, 2019, & May 14, 2019**

Mr. Middleton requested the following corrections:

- March 26<sup>th</sup>- page 7, #2 correct applicant's last name.

Mr. Otto requested the following corrections:

- May 14<sup>th</sup>- page 1, under item "A", correct vote...6 not 8.
- May 14<sup>th</sup>- page 2, under "A", correct vote...6 not 8.
- May 14<sup>th</sup>- page 2, under storage lots discussion, next to last paragraph should read- "*Mr. Otto suggested they make the definition to exclude commercial vehicles.*"

Mr. Holsinger made a motion to approve all sets of minutes listed above with the corrections noted. The motion was seconded by Mr. Atkins. The motion passed unanimously (8-0).

**B. Commercial Workshop Definition Amendment**

Ms. Clatterbuck explained that last fall the building official notified her that a business located on 340S near the Exxon in Stanley had placed a manufactured unit on the property without proper building, zoning, and health permits. After doing further research, it was determined the business was not properly licensed to operate at the current location. Staff notified the occupants that they needed to submit proper applications for review, to include a special use permit. After discussions with the occupants, they decided to temporarily store the manufactured unit on the rear of the property, and

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stated they would apply for permits as soon as they could. Fast forward to a few weeks ago, the occupants have again set the manufactured unit up on the property without applying for any permits. The Building Official posted a stop work order on the work. At that point, staff reached out to the occupants providing them building and zoning permit applications. The occupants have since submitted a zoning application for the manufactured unit. On the zoning permit application, they have listed that the proposed manufactured unit would be used as an "office and showroom." The property is currently zoned as Agriculture (A-1). After looking through the zoning ordinance, it has been discovered that the proposed unit/business does not meet any uses detailed by-right or by special use permit in the (A-1) zoning district. Under the A-1 district, "commercial workshops as defined in 125-4" are permitted only by special use permit. However, upon reviewing that definition, commercial workshops only apply to commercial sawmills, commercial chipping mills, and commercial shaving mills. Also, under 125-2 of the Page County Zoning Ordinance, any uses not specifically identified as a permitted use by-right or by special use permit is prohibited.

With this being said, staff is requesting guidance on how the commission would like to proceed with code amendments specifically, regarding commercial workshops. Ms. Clatterbuck also asked if any commission members knew the history on why commercial workshops was only listed under the sawmill section rather than listing it as its own definition. Mr. Otto stated that the intent was that a commercial workshop would be where raw materials are processed into a finished product....not an office. He agreed that the verbiage needed to be cleaned up. He further stated that there was discussion when this was changed that commercial workshops scattered through the A-1 zoning district was not appropriate as they should be permitted in the Commercial or Industrial zoning districts. But ultimately, by allowing commercial workshops in the A-1 district, the county could foster startup businesses. The caveat was that the materials used and produced should be compatible with the A-1 district. Mr. Burner noted that the current business there had nothing to do with A-1 operations. He also noted the property was in the floodplain.

Ms. Clatterbuck further explained there was another problem. If the business doesn't fit into the commercial workshop definition as stated above, then rezoning the property to Commercial would be the next option. In the Commercial zoning district, contractor offices are permitted by-right. However, based on how contractor office is defined in 125-4 of the Page County Zoning Ordinance, it does not include outside storage of operations' vehicles, equipment and/or materials. The subject property has a lot of outside storage associated with the contractor office.

Mr. Otto stated he felt the business did not fit the definition of a workshop, but would instead need to be rezoned to Commercial and then we could find something to fit the use in by amending the ordinance to allow for it. Mr. Comer agreed. He noted that several properties along that stretch are zoned Commercial, and he felt it would be best to rezone it for the type of business it is.

Mr. Holsinger stated it may be best defined as a showroom. Ms. Clatterbuck noted that on their zoning application they listed the manufactured unit as being used for office and showroom. Mr. Holsinger stated that the county would probably prefer to have that property zoned Commercial anyway instead of A-1 because of where it is at. He wondered if the county could absorb the cost of that rezoning. Ms. Clatterbuck stated she would be concerned with that as if we pay for one, then others will expect us to do it for them.

Mr. Otto suggested they rezone to Commercial, and the county amend the Commercial district by adding a special use permit requirement for the type of business. Mr. Miller questioned what the application fees were. Ms. Clatterbuck recalled that the rezoning fee is \$1000 plus \$50 per acre.

Mr. Comer pointed out that under the Commercial district, retail stores or shops was a by-right use along with contractor office. For the outside storage issue, since commercial parking facilities have not yet been defined in the zoning ordinance, they could apply for a special use permit as a commercial parking facility. The county could consider a joint public hearing to get them done at the same time.

After much discussion, the commission agreed that these are the options for the occupant:

- Option 1- Rezone to Commercial and apply for a SUP as a commercial parking facilities
- Option 2- Rezone to Commercial and the county could revise the by-right uses in the commercial district to include all of the services the business offers or does.
- Option 3- Rezone to commercial and the county could change the definition of contractor office that could include outside storage, and maybe consider supplemental conditions to address buffering, etc.

Ms. Clatterbuck stated that she preferred option 3. It makes sense that a contractor office would include outside storage anyway. If we don't address the outside storage now, it could come up later anyway.

### Unfinished Business

#### **A. Storage Lots Amendment**

Based on the discussion at a previous meeting regarding storage lots, Ms. Clatterbuck provided the commission with a draft definition for commercial parking facilities. Based on the previous topic discussed above, we really cannot act on this until we figure out how we will proceed with the above issue, but Ms. Clatterbuck suggested the commission be reviewing the draft definition and provide feedback on the proposed wording.

Mr. Otto stated he felt the proposed draft definition was very good. Under the definition of commercial vehicle he suggested adding "any vehicle registered to a business and/or commercial enterprise."

Mr. Comer stated the only issue he had with the draft definition was the language regarding a fee being charged. He suggested there may be a situation where a fee is not charged. He recommended that the language say "where a fee may be charged" vs. "where a fee is charged."

There being no other suggestions, Ms. Clatterbuck stated she would make the suggested changes, and we would put this on hold until the previous issue discussed tonight was determined. The commission agreed that it could be forwarded to legal for review, and pending approval, be scheduled for public hearing.

#### **B. Sign Ordinance Amendment**

Ms. Clatterbuck provided the commission with the revised draft of the sign ordinance based on the discussion at a previous meeting. Those changes have been highlighted in yellow showing what was discussed. After review amongst the commission, they agreed to all of the highlighted changes as presented, except on page 9, at the very top, which will be amended as follow:

- a. The legal owner of the land the sign is located on must be the same legal owner the sign is advertising for.
- b. The maximum square footage of the sign that meets the above criteria is 32 square feet.
- c. The sign must comply with all other sections of this chapter.

#### **C. Sub-Committee Reports**

##### **a. Solar Ordinance Sub-Committee Update**

Ms. Clatterbuck informed the commission that at a recent Board of Supervisor (BOS) meeting, the BOS decided that they are not going to proceed with adopting a solar ordinance at this

time. They want to leave it as written now where electric facilities 40 kilovolts or more require a special use permit. Therefore, no further action is needed from the sub-committee at this time.

Mr. Holsinger stated that was not a bad idea until you are speaking of large scale solar. We do not want to restrict the farmers or landowners from doing this when they are the sole ones benefiting from the power.

Mr. Otto stated that his understanding of the BOS decision to cease work on the solar ordinance was based upon a misunderstanding on their part. It was their understanding at that time, that the county could not have a solar ordinance and still process the utility scale operations by special use permit. That notion is entirely wrong. A prime example is the campground ordinance. Under the zoning ordinance, it states where the campgrounds are permitted by SUP, but then campgrounds have their own chapter of regulations.

Mr. Holsinger stated that as an unintended consequence, they could cause problems by creating the ordinance. The unintended consequences for other amendments that have been done by the county have been issues and will continue to cause issues.

Mr. Otto stated he felt that the issue is critical enough that the commission should continue to work on a solar ordinance and is within their right to do that. Mr. Holsinger stated if they continue to work on the ordinance, they run the issue of being in contempt of what the BOS has requested. Mr. Otto replied no, absolutely not. As the PC, they are within their purview to address any need that is prevalent in the county. Mr. Holsinger asked if they could just study it but not move forward in terms of a vote.

Mr. Comer asked about the status of the Comp Plan. His issue with trying to write an ordinance now is that there are applications still on the table so everyone is going to look at it through the prism of do I like this application and if I don't then I want to kill everything, and if I do then I will just write an ordinance specific to that application. In his mind it is better to put it in the Comp Plan, addressing where you want these types of facilities first.

#### **Comp Plan Sub-Committee Report**

Mr. Otto stated that they are pretty close to having draft language in the Comp Plan to address solar. Mr. Holsinger asked if everyone would be comfortable just waiting to get the Comp Plan language before working on the solar ordinance, and the commission agreed.

#### **Open Citizen Comment Period**

None

#### **Chairman's Report**

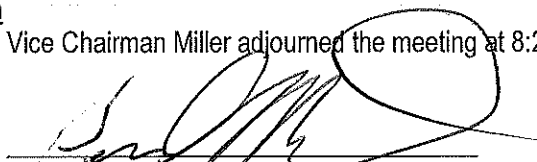
No Report

#### **Clerk's Report**

No Report

#### **Adjourn**

Vice Chairman Miller adjourned the meeting at 8:28 p.m.



Bernie Miller, Vice Chairman



Jamie Holsinger, Secretary