

MINUTES
PAGE COUNTY PLANNING COMMISSION
October 24, 2023

Members Present

Catherine Grech, Secretary, District 1	Chris Adams, District 2
Jared Burner, Chairman, District 3	Isaac Smelser, District 4
William Turner, Vice Chairman, District 5	

Staff Present

Josh Hahn	Tracy Clatterbuck
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Call to Order

Chairman Burner called the October 24 Page County Planning Commission Work Session to order in the Board of Supervisors (BOS) 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*. Chairman Burner reminded all commissioners and speakers to please turn on and/or speak into the microphones. Mr. Hahn conducted an attendance roll call.

Adoption of Agenda

Ms. Grech made a motion to adopt the agenda as presented. Mr. Turner seconded the motion. The motion passed unanimously (5-0).

New Business

A. Eileen Carlock- Special Use Permit

Chairman Burner notified the Planning Commission that he had been advised as an adjoining landowner that he is not to participate in any conversation or vote on the matter of the upcoming Special Use Permit (SUP). Since he is also the Chairman, he has been advised that he needs to pass the responsibilities of the Chairman to the Vice Chairman during any proceedings that involve this SUP. At this time, he handed the responsibilities to Vice Chairman William Turner, who thanked Chairman Burner. Ms. Grech disclosed that she is also an adjoining landowner and had also been advised by our legal department that she should refrain from participating and voting on that matter. She stated that she will equally be silent. Mr. Turner thanked Ms. Grech.

Mr. Turner asked Ms. Clatterbuck to present the staff report for Ms. Carlock's SUP application. Ms. Clatterbuck referenced the preliminary site plan included in the SUP. She read most portions of the background section of the staff report. Eileen Carlock has filed an application for a SUP to operate a banquet facility located at 850 Mill Creek Crossroads, Luray, VA, and further identified by tax map number 62-(A)-10A. The parcel contains 1.75 acres and is zoned as Agriculture (A-1). The property is improved with an existing single-family dwelling that is currently licensed to operate as a short-term tourist rental known as Skyline Meadow.

The applicant also owns the property adjacent located at 900 Mill Creek Crossroads, Luray, VA, and further identified by tax map number 62-(A)-10B. This parcel contains 18.922 acres and is also zoned as A-1. This property is improved with an existing single-family dwelling, where the applicant currently resides.

The applicant desires to operate a banquet facility on the above-described parcels. The proposed use would be an outdoor establishment consisting of small-scale gatherings, such as, but not limited to, family reunions, multi-family vacationers, weddings, etc. The maximum number of attendees per gathering would not exceed 60. The existing dwelling, which is used as a short-term rental, would not be open to gathering attendees. The house may be used as a dressing room for

wedding ceremony participants only. The house would be available to rent only as an add-on to the reservation for the outdoor banquet facility. The house would not be rented to a different reservation when there is a previously scheduled reservation for an outdoor gathering.

According to the applicant, the property is fenced. There are existing trees to provide for buffering. She noted that this is also shown on the site plan. The applicant is proposing the following parking areas, which she noted was labeled on the site plan as labeled 1 (which holds up to ten cars), 2 (4,500 square feet), and 3 (75'x75').

Should a client reserving the banquet facility desire to have a tent for the occasion, the client will be responsible for adhering to county and state regulations associated with the use of the tent, such as, but not limited to, obtaining a proper building permit, etc. The maximum size tent allowed by the applicant would be a 40'x40'.

Under § 125-4 of the Page County Zoning Ordinance, a banquet facility is defined as follows: "An establishment which is rented by individuals or groups to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, and other such similar celebrations." Pursuant to § 125-10 D. (16) of the Page County Zoning Ordinance, banquet facilities require an SUP in the A-1 zoning district.

Ms. Clatterbuck stated the applicant reached out to VDOT, and the approval documentation is in the packet. Staff recommends that we make the requirements from VDOT a condition of the SUP.

Ms. Clatterbuck stated the applicant obtained comments from Lynn Strickler from the Health Department, who had no objections to the planned use. Ms. Clatterbuck noted that porta-johns will be arranged onsite during gatherings for use of the guests.

Ms. Clatterbuck noted the Building Official, James Campbell, stated "No issue with tent use as long as permits are issued. If home is used, engineering will be required." She noted for the record that as of this time, she does not intend to use the dwelling, which is used for a short-term rental, as part of this venue. She noted other items included in the packet regarding the building code, summarizing that it requires the same number of porta-johns that the Health Department would require, which is based on the number of people.

Ms. Clatterbuck noted that staff recommends that the Commission consider conditions related to the use of the porta-johns. She noted that this has been a topic of recent discussion at the Planning Commission with regards to venues and campgrounds.

She noted that draft conditions were included in the packet. She noted that Ms. Carlock would like to present after Mr. Hahn provides the Comprehensive Plan Review.

Mr. Hahn presented the Comprehensive Plan Review from the staff memo. The project site falls within the "Agricultural Protection Tier." The entire property of Tax Map ID 62-(A)-10A is identified as "Farmland of Statewide Importance," as are portions of the adjacent property owned by the applicant, though some portions of that adjacent property are also identified as Prime Farmland." Per the Comprehensive Plan, the purpose of the Agricultural Protection Tier is "[t]o protect (to keep from being damaged or lost) agricultural uses and preserve the rural lifestyle and sense of community that has long defined Page County" (Volume 1-9). Further, the Comprehensive Plan states the following: "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" (Volume 1-23).

Goals within the Comprehensive Plan (Volume I, Chapter 3):

- Goal 3, Policy 3.2: “Preserve and protect agricultural uses and the rural lifestyle and sense of community that has long defined Page County, especially in the Agricultural Protection Tier” (Volume I-68).
- Goal 6, Policy 6.2: “Encourage economic growth that is compatible with the County’s rural character while generating a positive net cash flow for the County” (Volume I-74).
- Goal 6, Policy 6.12: “Enhance the County’s tourism and retail base” (Volume I-75).

Mr. Hahn noted the proposed location of the outside banquet facility is approximately 300 feet from the nearest dwelling to the east and west, 830 and 954 MILL CREEK CROSSROADS, respectively. 850 MILL CREEK CROSSROADS, the address for the short-term rental dwelling located on lot 10A, is located immediately adjacent to the proposed tent location. 900 MILL CREEK CROSSROADS is a dwelling owned by the applicant, and is located approximately 250’ of the proposed tent location. Besides these four dwellings, only one other dwelling located within 750’ of the proposed tent location: 959 MILL CREEK CROSSROADS, located across the street.

Mr. Hahn noted planning staff opinion is that this use would encourage economic growth that is compatible with the County’s rural character and not inconsistent with the purpose of the Agricultural Protection Tier.

Ms. Carlock came forward to speak. She stated that she is here today to talk about obtaining a permit that will allow her to host gatherings on the grounds of Skyline Meadow. Her intention is to offer guests staying at her rental and other places in Page County the opportunity to gather together to enjoy a celebration outside. Past and potential guests have asked if they could plan a get-together in the meadow, where some of Page County’s most gorgeous rural scenery can be viewed, including sights of the Blue Ridge mountains. For the past six years, she has contributed to the tourism economy as a short-term rental business. She has successfully rented her property 217 times, for a total of 802 nights, with an average of six people per stay. According to budgetyourtrip.com, each visitor to Virginia spends an average \$161 per day. That’s approximately \$775,000 that her guests have contributed to the local economy. Skyline Meadow’s guests are guests of this community. They contribute to attraction visitation, shopping at stores, eating at restaurants, and supporting the local economy with TOT and meal taxes. They enjoy the relaxing setting at Skyline Meadow. They want to come back, and then they do. Her hope is that guests who experience Skyline Meadow gathering will come back as vacation guests and explore the area in that capacity. They have had guests from Africa, Australia, China, England, India, Japan, and a diplomat from Israel. They have had guests from 18 states throughout the U.S., including as far away as California. They also host professionals from Valley Health. One family reunites every Christmas. Another family, half of whom live in America and the other half who live in Ethiopia enjoy a reunion every summer, and they always give a gift to their son. Skyline Meadow is fortunate to have many repeat guests, and they are now requesting to host celebrations, because the property exemplifies scenic Page County. The property has amazing views and is meticulously landscaped. They are not anticipating a reservation every weekend, but they would like to accommodate the occasional request, which would contribute to the local tourism economy. Many guests prefer to stay close to friends and family members. This benefits other short-term rentals in the area. They promote local businesses as much as they can, and they will rent portable restrooms from L&B Portables and refer guests to local florists. A neighbor across the street works in catering, and they hope to partner with her. We create jobs by employing local housekeepers and a local groundskeeper, and they could always use more work. Our business wants to support only other local businesses. There are great many wedding venues for large weddings. They are beautiful, and she is grateful for them, because many of their guests reserve accommodations at Skyline Meadow. However, many people prefer a small, intimate affair. They want to be outside and experience the beauty of the Valley. Skyline Meadow would like to offer that event experience with hopes of advancing and growing the business. Their goal is to provide

positive experiences for guests coming to Page County so that they will want to come back, and tell their friends and family. By adding an outdoor gathering to the amenities offered, Skyline Meadow will be able to attract additional visitors. Sustaining the business will in turn support other businesses in the community. Unlike the large wedding venues, Skyline Meadow does pay TOT taxes. In most cases, this fee is an additional expense that is passed on to the guests. For the next year, 2024, they have received two inquiries for weddings: one for a bridal shower, and three for family reunions. Referencing the photos in the packet, Ms. Carlock stated that it is possible to host a small yet tasteful outdoor gathering at Skyline Meadow. They want to expand services with the proper permits, and continue the high quality, five-star experience that has been supported by our reputation that has taken about six years to build. She thanked the Planning Commission for their time.

Mr. Turner thanked Ms. Carlock. He asked if anyone had any questions for Ms. Carlock. Mr. Smelser stated that he had some questions. He referenced the pictures that were included, which were pretty pictures. He referenced one photo with a large tent, and he asked if this had been set up on the property, before. Ms. Carlock stated that this was a wedding that was held that was very small. She did not know that there was going to be a tent. She came home from work and there was a tent. She didn't realize at that time that she needed an SUP. She wasn't trying to cut corners, and she is now trying to rectify this. Mr. Smelser indicated he understood, and he asked if this was the kind of tent that would be set up and taken down. Ms. Carlock indicated that most people do not want a tent – they want to be outside. But if they request a tent, there are requirements, and it cannot be larger than a 40' x 40'. That size, according to Shenandoah Tents, holds up to 75 people. Their limit is 60. Mr. Smelser asked since most people are not going to be using a tent, what is the emergency plan for severe weather. Ms. Carlock stated that Skyline Meadow is going to have a contract. They aren't responsible or liable for cancellation due to inclement weather. There is inherent risk associated with planning an outdoor gathering. The guest host is responsible for closing an event when necessary to protect the attendees. Just like when you go to a football game, people can wait in their car for the rain to stop. If the guest host is booked for the entire weekend, they can switch the day for the event. As for shelter, they don't provide shelter.

Mr. Smelser expressed concern that pop-up porta-johns may not be ideal for this type of facility or wedding venue. He asked Ms. Carlock if she would have anything besides single-stall porta-johns for 60 people. Ms. Carlock noted that for 60 people, there would be more than one, and Mr. Smelser indicated he understood that. Ms. Carlock noted that people don't have a problem with porta-johns, especially those people who want to have the affair outside. She explained that this was the wedding she had described earlier.

Mr. Smelser asked if the guests of the venue would basically just be booking the grounds, and they would have to rent the house, separately. Ms. Carlock stated it was more the other way around. They are a short-term rental. That is their primary business. They have guests requesting to have the other part of their family who may be staying at other short-term rentals who want to join them for dinner. She needs to have an SUP to have more people than what the house is renting. People who want to have a wedding, ask in advance. They want to have the house first, most of the time. If there is a special situation where someone really just wants to rent for the day, they can do that, as long as they understand the risks with the weather.

Mr. Smelser stated Page County is a premier wedding destination, and a lot of these are based off of a permanent structure or facilities. He stated that we want to be careful setting a precedent Airbnb's having wedding venues. There are hundreds of Airbnb's. If every single one wanted to offer weddings, this might set a dangerous precedent. Ms. Carlock stated she understood. She stated that most Airbnb's don't have the amount of land and the greenery to buffer the neighbors. She referenced the pictures and stated that you really couldn't see the neighbors, and they can't

really see us. She is onsite. So, this is a different situation from most Airbnb's. She lives behind the property, and she is close enough to see everything.

Mr. Adams stated that the pictures included were great, but he would like to make arrangements to visit. He asked if this was possible. Ms. Carlock stated that she would love this. Mr. Adams asked if Ms. Clatterbuck had contacted all of the adjacent landowners. Ms. Clatterbuck answered that this was just the introduction, and she would send out letters to adjoining landowners once a public hearing is scheduled.

Mr. Turner asked where the house was at on the map that sits across the road. Ms. Carlock pointed this out on another map. She mentioned that she has already spoken to them about this. Mr. Turner asked if there were any other questions. Mr. Smelser stated that this would take some time to consider. Ms. Clatterbuck asked if they wanted this included on the agenda for the next meeting to consider conditions, and the general consensus among the three commissioners was agreement. She offered to help set up site visits if anybody else was interested. Mr. Turner asked Ms. Clatterbuck to put this on the November 14 agenda. Mr. Smelser thanked Ms. Carlock. Mr. Turner passed the gavel back to Chairman Burner.

B. Adoption of Minutes- October 10, 2023

Chairman Burner allowed time to review the draft minutes. Ms. Grech noted that the recent minutes we have been receiving are excellent. Mr. Smelser made a motion to adopt the minutes as amended. Mr. Adams seconded the motion. The motion passed unanimously (5-0).

Unfinished Business

A. Discussion of Banquet/Event Facilities

Mr. Hahn stated that staff had created a draft of new supplemental regulations, as instructed. He noted that he used a draft Ms. Grech had been working on and had provided as a starting point. Ms. Grech noted that her draft used the Campground Ordinance, and she copied what she thought would be appropriate. She stated that it was easy to do. It has the same structure. We spent so much time on the Campground Ordinance, so it seemed like a worthwhile document. She kept what she thought was relevant, and she modified it based on the discussion with Ms. [Fox] at the previous meeting. She stated that there were many things in the minutes that were just approved that are pertinent to this document. She quoted a few things that Ms. [Fox] stated, including wanting to preserve a quality experience; not wanting to see venues that consist exclusively of tent and porta-potties; temporary structures concern her; we need to be careful of people using the festival permit to circumnavigate an SUP.

Mr. Hahn began to work through staff comments in the margins of the draft supplemental regulations:

- Staff had recommended to change "Banquet facility or event facility" to "Event facility," remove definition of "Banquet facility," and change definition of "Event facility" from "A building, which may include on-site kitchen/catering facilities, where indoor and outdoor activities such as weddings, receptions, banquets, and other such gatherings are held by appointment." to "A building or outside establishment which may include onsite kitchen/catering facilities where weddings, receptions, banquets, and other such gatherings may take place." There was lengthy discussion of this definition. Consensus was that this new definition was deficient. Discussion included consideration of whether event facilities should include at least one permanent structure, and consensus was that they should. Ms. Grech expressed agreement with Ms. Fox on this matter, regarding quality that we want to maintain. Mr. Smelser expressed similar views, describing existing venues with beautiful outside areas that are still anchored to a permanent structure. Chairman Burner noted the importance of having at least one wall for a permanent structure where the reception is held, which can deaden the impact of sound

for neighboring property owners. Ms. Grech noted another venue that had to build a bathroom facility that was not cheap, and she asked why we wanted to lower our standards. Mr. Turner stated that he has seen some spectacular temporary bathroom facilities at the race track that aren't just porta-potties, and Ms. Grech noted that these trailers are like with Jeremy Baldwin proposed, and she suggested they are fine as a supplemental to existing bathroom facilities. There was also lengthy discussion regarding the inclusion of "catering" in this definition. There was also discussion about whether we should qualify that this is about commercial venues, and consensus was that it is. There was discussion about whether venues used in conjunction with a short-term rental should be limited to the occupancy of the short-term rental. Ms. Grech asked staff to consider a minimum number of guests that might be appropriate for an event facility to be required. Consensus supported a new draft definition for "Event facility": "A commercial venue with at least one permanent building where weddings, receptions, banquets, and other such gatherings may take place."

- Mr. Hahn stated that after discussion with Ms. Clatterbuck, staff was requesting the Planning Commission consider what supplemental regulations they would like to see for venues in the Commercial zoning district. The current draft would not impose any regulations in the Commercial district. Ms. Clatterbuck stated she did not think all of the regulations should be imposed in the Commercial district, but some of these might be appropriate. For example, 15 acres is probably not necessary in Commercial. However, as drafted there would be no regulations for landscaping, lighting, or parking. She suggested that this would incentivize rezoning to commercial in order to operate a wedding venue. She noted that our practice is that the supplemental regulations for a use apply to all instances of that use regardless of the zoning district. There was further discussion. Mr. Hahn stated that he would work with Ms. Clatterbuck and Ms. Fox on this.
- Mr. Hahn noted that he had changed the site plan minimum scale of one inch to 50 feet to one inch to 200 feet. He provided an example of what a one inch to 50 feet would look like for Ms. Carlock's application. There was further discussion, and Mr. Hahn stated that he would use a different location and provide that at the next meeting.
- Chairman Burner recommended adding language requiring entrances and exits to the property as well as driving lanes. Mr. Hahn agreed.
- Mr. Hahn stated we had discussed the possibility of something like a "sliding-scale" where there might be more or fewer guests based on the size of the venue. Consensus was that this was not necessary. Mr. Hahn asked what the general consensus was on a 15-acre minimum. Ms. Grech stated it may be off-putting to have a minimum, and instead we may want to consider open space and a buffer zone, instead. There was further discussion. Chairman Burner stated he preferred 25 acres. Ms. Grech added that the language for acreage should be in regards to the venue rather than the parcels. Mr. Hahn stated he would clean that language up.
- Mr. Hahn's draft had listed a 100-foot setback from property lines for all features of the venue except the parking, which would be 50 feet. He explained his reasoning that imposing a 100-foot setback may in some cases create a lot of wasted space and unnecessary internal roadway. Consensus was that a 100-ft setback should include the parking area. Ms. Grech also recommended changing language regarding green belts to instead refer to screening. This was based on concerns Chairman Burner had expressed along the way that tall trees in the buffer zone may obscure views for neighbors.
- Mr. Hahn noted that based on earlier discussion, he had crossed out "structure or designated outside area" from number three under standards, thus requiring a primary, permanent building as a standard.
- Ms. Grech asked staff to work on definitions for porta-potties and trailer restrooms.
- Ms. Grech asked if we needed language regarding fencing. Mr. Hahn noted that Ms. Fox had indicated that there may be less of a need for fencing if there is a minimum acreage.

Ms. Grech expressed disagreement. Mr. Hahn noted that this draft includes fencing as a requirement to be considered as a condition.

- Ms. Grech mentioned that fireworks are not mentioned. There was some discussion. Consensus was that language be added to disallow fireworks.

B. Zoning Ordinance Amendment - Quarries

Mr. Hahn stated he and Ms. Grech had visited Frazier's North Quarry earlier in the day and observed a "shot." The main purpose of this event was for Rockingham County officials to visit the site in consideration of a proposed rezoning and expansion. Ms. Grech noted that this facility was considerably larger than the one they had visited previously. The other facility was not easily seen outside of the property, but this one you could see it. She stated it was really loud, and they do between 500 and a thousand tickets per day. She doesn't think something like that would happen in Page County overnight, but this kind of scared her. We need to make sure we know where to draw the lines. Mr. Hahn stated his own experience was that it was a steady noise, or what they would differentiate as a sound, but you could have a conversation right next to the crusher. Ms. Grech stated her opinion was that it was loud. To her the blast was a non-event, but the crushers were really loud, even within 300 feet. Mr. Hahn stated he wouldn't want to live right next to it, but it was a question of setbacks. He added that he wanted to state for the record that he has been really pleased with Frazier Quarry, and Ms. Grech agreed. Mr. Hahn stated that this reinforces the idea that "good operators" are what we are seeking, and this is something that Mr. Lanham had brought up.

Mr. Hahn referenced an updated draft ordinance, which included some changes to the previous version, including some resequencing of items to be consistent with recent ordinances and the draft supplemental regulations we just discussed. He is pretty happy with this draft, and he thinks we are getting closer. Ms. Grech stated that she thinks it is an excellent draft, but she has a couple suggestions for additions. She thinks we should review the setbacks. We can either do this tonight or another night. She stated quarries are frequently last on the agenda, and she requested that this be the first item of unfinished business on the next agenda so that we can spend more time on it. Ms. Clatterbuck reminded everyone that we have a public hearing for Mr. Baldwin scheduled for the next meeting, Mr. Whitlock's application will be back on the agenda, as will Ms. Carlock's application. Chairman Burner asked staff to put quarries as the first item on the next agenda.

Adjourn

Mr. Smelser made a motion to adjourn the meeting. The motion was seconded by Mr. Turner. The meeting was adjourned at 8:34 p.m.



Jared Burner, Chairman