

MINUTES
PAGE COUNTY PLANNING COMMISSION
March 22, 2022

Members Present

Catherine Grech, District 1
Jared Burner, Chairman, District 3

Thomas Mitchell, District 2
Isaac Smelser, District 4

Members Absent

William Turner, Vice Chairman, District 5

Staff Present

Tracy Clatterbuck

Kelly Butler

Call to Order

Chairman Burner called the March 22, 2022 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. The meeting was available via zoom. Ms. Clatterbuck conducted an attendance roll call.

Adoption of Agenda

Ms. Grech made a motion to amend the agenda by adding review of the solar ordinance under new business. Mr. Smelser seconded the motion. The motion passed unanimously 4-0.

New Business

A. Adoption of Minutes- January 25, 2022 and February 8, 2022

Ms. Grech made a motion to adopt the January 25, 2022 and February 8, 2022 minutes as presented. The motion was seconded by Mr. Smelser. The motion passed unanimously 4-0.

B. Town of Stanley- Special Use Permit Application

Ms. Clatterbuck presented the following staff report:

The Town of Stanley has filed an application for a special use permit (SUP) to operate a dog park located on the corner of Marksville Road and Hawksbill Park Road, Stanley, VA, and further identified by tax map number 81-A-94. The parcel is currently zoned as Woodland-Conservation (W-C). The total acreage of the parcel is 10.75 acres; however, three acres will be dedicated for use of the dog park. The proposed project is located adjacent to the Hawksbill Recreation Park and Swimming Pool. Pursuant to Section 125-9.D(2) of the Page County Zoning Ordinance, commercial outdoor recreational areas and facilities are permitted by special use permit.

The dog park is generously being donated to the Town of Stanley by Donald V. Feliciano, from Luray, VA. Bailey Legacy Dog Park as it will be known, will consist of

two fenced in areas. One for smaller dogs and one for larger dogs. The fence will be made of six-foot chain-link wire fencing. Parking will be installed along the dog park which will consist of twenty parking spaces. There will be rules posted throughout the dog park. Four dog waste stations will be placed around the dog park and will be properly disposed of by park employees. The Town of Stanley Public Works Department and the Parks and Recreation Department will maintain the facility.

The applicant has reached out to the following agencies for comment:

Virginia Department of Transportation (VDOT) – Per James Craun with VDOT, this property will be served by a proposed private entrance at the VDOT approved location on Hawksbill Park Road. The proposed entrance will require site plans for review before approval. The proposed use should not have any adverse effect to the VDOT right-of-way.

Health Department- The dog park will not have bathroom facilities onsite, but bathroom facilities are available at the Hawksbill Recreation Park Building which is adjacent to the proposed project. Per Herbert Cormier, with the Virginia Department of Health (VDH), the department has no objections to the issuance of an SUP for the dog park.

Building Official- Per James Campbell, Page County Building Official, he has no objections to the proposed project. Before any work begins, the applicant will be required to check to see if permits are required.

This property falls within the “Agricultural Protection Tier” and into the designation of “Moderate Farmland” and “Prime Farmland”. Due to the low impact, the proposed use would not change the character of the property/area.

In reviewing the Page County Comprehensive Plan, there is nothing that specifically mentions a recreational area and/or facility such as a dog park; however, there are other areas of the comprehensive plan that encourages outdoor recreational uses.

In Volume I of the Page County Comprehensive Plan, Goal 11 states, “Provide community facilities and human services that are efficient, progressive, accessible, and responsive to the needs of the community.”

Goal 11, Policy 11.2 states, “Develop and maintain adequate public facilities that meet the current and future needs of the County.”

Goal 11, Policy 11.18 states, “Encourage the development and use of a bike-walkway system in the community to support exercise, outdoor recreation and the conservation of natural resources.”

Ms. Clatterbuck requested that the Page County Planning Commission hold a public hearing on this special use permit application at the April 12, 2022 Regular Meeting, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia § 15.2-2204.

Terry Pettit, Town of Stanley Manager, provided the commissioners with an updated site plan and briefly reviewed the proposed project.

Mr. Mitchell asked the applicant if he had reached out to any of the neighbors yet and Mr. Pettit replied no.

Ms. Grech asked for clarification on where the dog park would be located on the parcel in which Mr. Pettit explained pointing out the location, entrance, etc. Ms. Grech also noted that the county code required a minimum of three acres be dedicated to the dog park and asked outside of the actual dog park location, what would the other portion of the three acres be used for? Mr. Pettit responded parking and open space. Ms. Grech asked what type of surface would be used in the dog park and Mr. Pettit responded grass noting that the Town of Stanley public works department would be maintaining it.

Chairman Burner asked Mr. Pettit how they planned to dispose of the waste. Mr. Pettit stated the same way they did for the Ed Good Park which is that the town public works department will empty and dispose of properly at the landfill.

Ms. Grech asked what the proposed setbacks were and Mr. Pettit responded 100 feet from the property line and the Hawksbill Creek. Ms. Grech asked if he were willing to increase those setbacks if the commission saw a need and Mr. Pettit stated he would like to stick with the 100 feet as anything more may encroach on their future plans. Ms. Grech asked what that was and he stated they were looking at camping. Ms. Grech requested he provide a site plan showing the location of the dog park, parking, setbacks, temporary bridge, etc. and Mr. Pettit agreed to provide that.

Mr. Mitchell noted the pool was closed in the wintertime noting the dog park would be open though. Since the restrooms are at the pool, he questioned how they planned to address that. Mr. Pettit explained that they would keep the restrooms open to the public year round when the dog park is open.

Mr. Donald Feliciano provided a large scale map of the proposed project that he had drawn himself. He also stated he was happy to answer any questions and shared how his dream had come forth with the proposed project.

Ms. Grech made a motion that the commission hold their public hearing on April 12, 2022. The motion was seconded by Mr. Smelser. The motion passed unanimously 4-0.

C. Review of the Solar Ordinance Draft

Chairman Burner explained that the commission had been provided with a draft solar ordinance that was handed down by the BOS requesting that the commission review the proposed ordinance and provide a recommendation to the BOS. He noted that he didn't know how much discussion they would be able to have tonight since they had just received this document today and there was a good chance that all commissioners may not have had time to review it prior to the meeting.

Ms. Grech stated this was a very important document and they needed to take their time in reviewing it. She said she had not had time to review the document prior to the meeting due to other agenda items. She suggested the commission do their homework and review the draft and be prepared to come to the next meeting with pro-active suggestions. Chairman Burner agreed and also noted the importance of the document and wanting to move forward with it. He requested that this be put on the next meeting agenda under unfinished business.

Mr. Mitchell asked if they would be reading it line-by-line at the next meeting like they have done with other documents. Chairman Burner stated he didn't feel that was necessary and just encouraged the commissioners to do their homework and review the document. Ms. Grech explained when they went line-by-line that was with the special use permit conditions for solar. She explained that some of the members that have been on the commission for some time have experience with other solar ordinances. She said she already had things in mind that she wanted to see in the ordinance. She offered that any of the other commissioners who were less familiar with solar was welcome to call her and then they could openly discuss everything so that the citizens could hear.

Unfinished Business

A. Discuss and review the following proposed zoning ordinance amendments:

a. Animals in the Residential Zoning District

Chairman Burner explained that the ad for these amendments needed to go in this week; therefore, they needed to review the proposed draft tonight to be able to get it to legal for review as well. Staff provided copies of the following to all commissioners: Draft language prepared by The Berkley Group (TBG), draft language prepared by the sub-committee, copy of our current definition of agriculture, and a definition of animal unit from Rockingham County.

They began by reviewing the definitions of animal unit from both documents. There was lengthy discussion amongst the commission on what the appropriate number of animal units/type of animal units that would be allowed on residential zoned property based on lot size. This also included much discussion involving beehives/apiaries. Ms. Grech volunteered to reach out to a local bee keeper to ask his opinion on appropriate number of beehives on a residential lot. They also discussed the definition of livestock, poultry, and domesticated in the documents provided agreeing to proceed with TBG's recommended language. Ms. Grech suggested in TBG draft Section 125-367 A(2)(a), the reference of 125.362.B be changed to 125.367.B. Also, in 125-367 (3)(a), the word below needs to come out. She stated she was okay with everything else except 125-367(B)(5), they are proposing a permit be required and she did not agree with that. We don't want people to have to apply for a permit to keep some chickens. They also discussed the definition of residential farm and gardening.

After definitions, they reviewed the proposed language regarding parcel size for the

keeping of animals. It was clear amongst the commission that it was their opinion they wanted to be supportive of 4-H, etc. projects in the county.

Ms. Clatterbuck expressed concerns related to being able to enforce this under the zoning ordinance. We have an animal ordinance in the county code that is enforced by the Sheriff's Office. She stated she felt that's where the proposed regulation of animals needed to be addressed and enforced noting she didn't feel it should be the zoning departments job to enforce regulations regarding animals unless it was a confined feeding operation.

b. Changes to "dwelling"

Ms. Clatterbuck explained that the current definition of dwelling excluded short term rentals, and she, along with Chairman Burner and legal, who had met to discuss this proposed amendment prior to this meeting, agreed that the definition should include short term tourist rentals instead of excluding. She also suggested changing language to say only one dwelling per parcel...vs. one single family detached dwelling....in each zoning district. After a lengthy discussion amongst the commission, they agreed to add a new definition for principal structure and amend the current definition of dwelling.

B. Review draft of Zoning and Subdivision Ordinance provided by The Berkley Group
Chairman Burner recommended they put this on the next meeting agenda for discussion.

Adjourn

Chairman Burner requested a motion to adjourn the meeting. Ms. Grech made a motion to adjourn. Mr. Smelser seconded the motion. The meeting was adjourned at 9:25 p.m.


Jared A. Burner
Jared Burner, Chairman

