

MINUTES
PAGE COUNTY PLANNING COMMISSION
May 24, 2022

Members Present

Thomas Mitchell, District 2
Isaac Smelser, District 4

Jared Burner, Chairman, District 3
William Turner, Vice Chairman, District 5

Members Absent

Catherine Grech, District 1

Staff Present

Tracy Clatterbuck

Call to Order

Chairman Burner called the May 24, 2022 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 7:01 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. Catherine Grech was noted as absent.

Adoption of Agenda

Mr. Smelser made a motion to adopt the agenda as presented. Mr. Turner seconded the motion. The motion passed unanimously 4-0.

Public Hearing

A. RKA, LLC/Rodney Jenkins- Rezoning Application

Ms. Clatterbuck presented the following staff report:

RKA, LLC/Rodney Jenkins has filed an application to rezone property located on the corner of US Hwy 211 E BSN and Dry Run Road, Luray, VA, and further identified by tax map number 43-A-79. The property contains 3.006 acres and is currently zoned as Residential (R). The applicant is proposing to rezone the parcel from Residential (R) to Commercial (C-1).

The parcel is located just outside of the Town of Luray limits (as shown on the attached map labeled "Town Context"). The parcel is surrounded by residential and commercial zones along US Hwy 211 E BSN and Dry Run Road (as shown on the attached map labeled "Zoning").

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

Virginia Department of Transportation (VDOT) – Per Jeff Nicely, VDOT has no objection to the rezoning request. At the time of any future development, VDOT will need to approve access to Route 211 and/or Route 667. The entrance(s) will be required to meet all current VDOT Access Management Design Standards for the proposed use at that time.

Page County Health Department- Per Herbert Cormier, the Health Department has no objections to the rezoning request.

Page County Building Department- Per James Campbell, if any work is done in the future, applicable permits will be required.

Adjoining/adjacent landowners were notified as required by the Virginia State Code. No comments were received.

Staff recommends that the commission and board approve the rezoning request as presented. Rezoning this property to C-1 is appropriate considering the parcel fronts US HWY 211 E BSN and considering its proximity to town limits and surrounding zoning districts. Ms. Clatterbuck concluded noting that the applicant was present for any questions.

Chairman Burner opened the public hearing at 7:05 p.m. There being no speakers, the public hearing was closed.

With no comments from the commission, Mr. Smelser made a motion that the Page County Planning Commission recommend approval to the Board of Supervisors to rezone tax map number 43-A-79 from Residential (R) to Commercial (C-1). The motion was seconded by Mr. Mitchell. The motion passed unanimously 4-0.

New Business

None

Unfinished Business

A. Shenandoah Escapes- Special Use Permit (discuss conditions)

Ms. Clatterbuck reviewed the draft conditions for the Shenandoah Escapes, LLC special use permit application. She recommended the commission not put any condition in the permit that would limit the use of the existing single-family dwelling since the single-family dwelling is a by-right use in the agriculture zoning district. Also, short term tourist rentals are as well and they may decide in the future that they want to rent out the house as a short-term rental (separate from the campground). She also reminded the commission that the current campground ordinance does not require onsite management as it states that contact information must be displayed/provided for management.

The commission agreed to the following conditions (in addition to the standard ones):

- Adequate parking shall be provided to accommodate guests. A minimum of two parking spots per campsite must be available. Parking areas shall be appropriately marked and designated in accordance with the site plan dated _____.
- Permitted type of structures and color palettes must comply with the typical campsite layouts dated _____ and the color palettes material dated _____.
- This special use permit shall be limited to a maximum of twenty campsites.
- Before the building permits are issued for each section of campsites designated on the site plan dated _____, the barbwire fencing must be replaced with fencing material other than barbwire, razor wire, or chain link fencing.

B. Sign Regulations Amendments

As requested, Ms. Clatterbuck presented one combined draft of the sign regulations that included the recommendations from The Berkley Group and the recommendations from the Planning Commission's public hearing that was held September 10, 2019. The commission agreed that the focus of the next meeting would be on the definitions. Mr. Mitchell suggested the commission choose two to review tonight. They reviewed the definitions for sign and sign area and decided to go with the versions (see draft in packet) of the definitions provided by the Berkley Group. Mr. Smelser brought up the concern of currently not allowing double faced signs in which he suggested we look at further along in the review process. They will focus on the remaining definitions at the next meeting.

Chairman Burner stated he also felt, along with staff, that it was best to do a full review of the sign regulations based on the fact that there are things in our current ordinance that violate the freedom of speech in addition to the fact the direction came from the Board of Supervisors regarding possibly allowing off-premise signs. He further noted that he predicted updating the regulations shouldn't take long as the biggest discussion will be related to how we regulate off-premise signs in the draft.

C. Solar Ordinance Update

Ms. Clatterbuck provided the commission with a copy of the red-lined draft that was submitted to legal on April 24, 2022. She further explained that Mr. Helm did provide a legal review of the draft ordinance. He stated that there are a number of issues with the red-lined version. However, he has reviewed for legal compliance only and is comfortable authorizing it to proceed forward. He did note for the record, he does not endorse the ordinance as written. One issue that is questionable for legal compliance is the requirement that a lease agreement for the land be provided with the special use permit application. Should that provision stay in the draft as currently written, he will need to spend additional time to determine the lawfulness of that requirement. Ms. Clatterbuck recommended the commission go back and look at that again. Mr. Mitchell asked what the purpose of that regulation was in the draft. Chairman Burner explained that the purpose of acquiring that was that the special use permit goes with the land. If a company comes in on behalf of that owner to apply, we need legal proof that those two have the ability to act upon each other. It would be a way to tie up loose ends to know all parties involved in the business venture. Mr. Mitchell stated that reasoning made sense to him and wondered why it didn't to Mr. Helm. Ms. Clatterbuck explained further that the lease agreement between a private party and a private entity has nothing to do with the appropriateness of the project. Chairman Burner stated he could sort of see where Mr. Helm was coming from; however, the proposed language doesn't say an exact copy of the lease agreement but rather documents demonstrating... Chairman Burner stated he could understand if it was an exact copy of the lease with financial information but it doesn't say that. We just need proof that there is a lease involved and that these are the responsible parties involved. Maybe the language needs to be re-worded but he further noted that the current ordinance requires a copy of the lease for tower projects and if you are a leasee trying to get a building permit, proof is required from the landowner before the building permit is issued to a leasee. Mr. Smelser suggested they leave the language now and make changes at the public hearing if need be.

Ms. Clatterbuck noted that the numbering of the chapter/sections needed to be updated as we would be making this a new chapter of the county code. Chairman Burner asked her how long it would take to do that, and she responded not long at all.

Chairman Burner then asked staff if they wanted to do a joint public hearing with the Board of Supervisors, what would be the earliest date possible with the ad requirements. Ms. Clatterbuck reviewed the calendar and explained the earliest date available would be June 28th. It would have to go before the Board of Supervisors on June 6th requesting that they consider the joint public hearing. If they agreed, the ad would be advertised the weeks of June 16th and 23rd. Chairman Burner asked the commissioners how they felt about having a joint public hearing and they all agreed that would be good. Mr. Turner made a motion to have a joint public hearing with the Board of Supervisors on the solar ordinance draft on June 28th; however, if the Board declined having a joint meeting on June 28th, the Planning Commission would still have their public hearing on June 28th. The motion was seconded by Mr. Smelser. The motion passed unanimously 4-0.

Chairman Burner suggested the commission review the red-lined draft provided by staff and be ready to discuss at the next meeting.

D. Review draft of Zoning and Subdivision Ordinance provided by the Berkley Group- *discuss proposed prime agriculture district and industrial districts*

Chairman Burner stated he did not have time to come up with prime agriculture language. Also, Josh and Nina were not able to attend the meeting tonight and he would really like for them to be here to discuss the industrial districts along with other questions that may come up. He suggested we add this to the next meeting agenda in which the commission agreed.

Adjourn

Chairman Burner requested a motion to adjourn the meeting. Mr. Smelser made a motion to adjourn. Mr. Turner seconded the motion. The meeting was adjourned at 7:59 p.m.



Jared Burner, Chairman