

MINUTES
PAGE COUNTY PLANNING COMMISSION
June 27, 2023

Members Present

Catherine Grech, Secretary, District 1
Jared Burner, Chairman, District 3
William Turner, Vice Chairman, District 5

Chris Adams, District 2
Isaac Smelser, District 4

Staff Present

Tracy Clatterbuck

Call to Order

Chairman Burner called the June 27, 2023 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. Ms. Clatterbuck conducted an attendance roll call.

Adoption of Agenda

Mr. Turner made a motion to approve the agenda as presented. The motion was seconded by Mr. Smelser. The motion passed unanimously (5-0).

New Business

A. Adoption of Minutes- June 13, 2027

Ms. Grech recommended the following changes:

- Page 9, third line from the top, change “attach” to “attack”.
- Page 11, under New Business, item B, the third sentence seems to be missing a verb or something in that sentence. Ms. Clatterbuck agreed to correct.
- Page 12, under the second paragraph, there seems to be something missing beginning at “They’ve heard about...” Ms. Clatterbuck agreed to correct.
- Page 16, fourth paragraph, it reads “Ms. Grech.” There appears to be something missing there as well. Ms. Clatterbuck agreed to correct.
- Page 18, under Clerk’s Report, fourth line from the bottom of the page, change “disagreed” to “disagree.”
- Mr. Smelser made a motion to adopt the minutes as amended. The motion was seconded by Mr. Adams. The motion passed unanimously (5-0).

B. Review of the Stonyman Agricultural and Forestal District

Ms. Clatterbuck presented the following staff memo:

In 2000, a group of local farmers and landowners began the process of creating the first Agricultural and Forestal (Ag/F) District in Page County. In 2001, Page County adopted the Stonyman Ag/F District for a term of seven years. The district was last reviewed and adopted by the Board of Supervisors on July 19, 2016 which currently consists of 2,045.23 acres, more or less. The district will expire on November 1, 2023.

Pursuant to § 15.2-4305 of the Code of Virginia, “*Each district shall have a core of no less than 200 acres in one parcel or in contiguous parcels. A parcel not part of the core may be included in the district*

- (i) *if the nearest boundary of the parcel is within one mile of the boundary of the core,*
- (ii) *if it is contiguous to a parcel in the district the nearest boundary of which is within*

*one mile of the boundary of the core, or
(iii) if the local governing body finds, in consultation with the advisory committee or
planning commission, that the parcel not part of the core or within one mile of the
boundary of the core contains agriculturally and forestally significant land...”*

As required by the Code of Virginia, the Board appoints members in accordance with state code guidelines, to serve on the Stonyman Ag/F District Committee. Pursuant to § 15.2-4304 of the Code of Virginia, *“The committee shall advise the local planning commission and the local governing body and assist in creating, reviewing, modifying, continuing or terminating districts within the locality. In particular, the committee shall render expert advice as to the nature of farming and forestry and agricultural and forestal resources within the district and their relation to the entire locality.”*

Pursuant to § 15.2-4306 of the Code of Virginia, *“...the following factors should be considered by the local planning commission and the advisory committee, and at any public hearing at which an application that has been filed pursuant to § 15.2-4304 is being considered:*

- 1. The agricultural and forestal significance of land within the district or addition and in areas adjacent thereto;*
- 2. The presence of any significant agricultural lands or significant forestal lands within the district and in areas adjacent thereto that are not now in active agricultural or forestal production;*
- 3. The nature and extent of land uses other than active farming or forestry within the district and in areas adjacent thereto;*
- 4. Local developmental patterns and needs;*
- 5. The comprehensive plan and, if applicable, the zoning regulations;*
- 6. The environmental benefits of retaining the lands in the district for agricultural and forestal uses; and*
- 7. Any other matter which may be relevant.*

In judging the agricultural and forestal significance of land, any relevant agricultural or forestal maps may be considered, as well as soil, climate, topography, other natural factors, markets for agricultural and forestal products, the extent and nature of farm structures, the present status of agriculture and forestry, anticipated trends in agricultural economic conditions and such other factors as may be relevant.”

In January 2023, notices and applications were sent to current landowners in the district notifying them of the renewal process. Notices and applications were also sent to landowners within a one-mile radius of the core of the district that were also eligible to join. As a result of the applications received, the new acreage for the district will consist of 1883.50 acres, more or less, and will include the following tax map numbers: 52-A-5, 52-A-60, 52-A-59, 52-A-61, 52-A-65A, 52-A-72C, 52-A-67, 53-A-78, 53-A-71, 53-A-112, 51-A-85B, 51-A-91, 52-A-22, 51-A-112, 51-A-111, 51-A-110, 52-A-25, 52-A-24, 52-A-24A, 52-A-51, 51-A-50, 52-A-44A, 52-A-44, 52-A-42, 52-A-40, 52-A-31A, 52-A-32, 52-A-32B, 52-A-36, 52-A-37, 53-A-35, 52-A-79, 52-A-80, 52-A-92, 53-4-B, 63-A-225A, 63-A-227, 63-A-228, 64-A-27, 64-A-28, 63-A-233, 63-A-253A, 63-A-254, 63-A-231, 63-A-232, 63-A-255, 63-A-262, 63-A-258, 63-4-1, 63-4-2, 63-A-257, 42A11-A-242A, 52-A-2, 52-A-3, 42-A-39, 52-A-72A, 53-A-72, 52-A-31, 52-A-31D, 51-A-108, 62-A-81, 62-A-80, 63-A-9, 63-A-9A, 52-A-95, 53-A-42, 63-A-226, 63-A-256, 51-A-84A, 51-A-85A, 51-A-88, 51-A-84, 51-A-85, 51-A-90, 51-5-35, 51-5-28A, 51-A-108A, and 52-A-26. These parcels are also reflected in the map attached to this memo titled “Stonyman Ag-Forestal District 2023 Renewal: Overview”.

The advisory committee met several times to review and discuss the applications received. As a result of those meetings, the committee determined the above listed applications (as also reflected in the map attached to this memo titled “Stonyman Ag-Forestal District 2023 Renewal: Overview) meet the requirements to be in the district. The advisory committee recommended a change to Section 125-67.B of the Page County Zoning Ordinance, which is the description of the district, as reflected in the attached draft ordinance. Staff concurs with the Advisory Committee and requests that the Planning Commission schedule this matter for public hearing at the July 25, 2023 work session.

Ms. Clatterbuck and Chairman Burner briefly reviewed the overview map of properties that was submitted as part of the packet.

Ms. Grech stated she understood that the purpose of the district is to give extra protection to farming activities. She asked if one might infer that if someone does not want to renew their participation in the district it could be inferred that maybe they have plans for development that are no longer farming. Chairman Burner replied that they would have more options on building dwellings on their property.

Ms. Grech asked staff if within the blue belt on the overview map, applications were sent to all of the parcels who would qualify, so is it safe to assume if they were interested, they would have applied, and Ms. Clatterbuck confirmed. [Staff notes that staff response was incorrect. Letters and applications were sent out to landowners that were adjacent to parcels currently in the district.]

Ms. Grech stated that the district does not expire until November 1st. If we accept the amendment staff is proposing tonight which lists all the parcels by number, if someone should say their family member had been in the nursing home and they didn’t check their mail so they didn’t know, could they still join? If the PC has already held their public hearing and recommended approval of the changes to the Board, how would that be handled? Does that mean they are precluded? Chairman Burner noted there was a window of time that the county has to operate on. The landowners have had sufficient time to submit their application. He understood the medical situation, but we have to operate in a window of time to get this through the process. Ms. Grech asked if by approving this amendment, are they closing the window to join the district. Chairman Burner replied that they had had the same discussion at the committee level. Technically, if someone shows up to the public hearings at the commission or board level, they could consider allowing them in the district. Ms. Grech noted that we had five months before the district expired. Ms. Grech expressed concern with whether people understood the district/application process. Chairman Burner noted that the committee members took it upon themselves to extend the application deadline another 30 days with some members even going to individual landowners that had not re-applied, and even approaching some that were sent letters that they thought may be interested. As a result of that extension, parcels labeled 69-78 were additional applications that were received.

Mr. Turner made a motion to schedule the public hearing for July 25, 2023. The motion was seconded by Mr. Smelser. The motion passed unanimously (5-0).

Unfinished Business

A. Review of the Campground Ordinance Draft

Ms. Grech stated that she and staff had reviewed the comments from the last meeting and came back with some additional language regulating swimming pools. Mr. Hahn estimated that Shuler’s Pool was approximately 8,750 square feet, noting that it was irregular shaped. In looking on the GIS website, Ms. Grech and Ms. Clatterbuck estimated the square footage of Yogi’s Pools to be approximately 5,000 square feet. They also pulled the building plans for the pools at the Luray RV Resort and estimate those to be approximately 7,000 square feet. On those plans, they identify it as water surface area which seems to be a good measurement we should consider using in the

ordinance. We may or may not want to define water surface area, aggregate water surface area, and swimming pool. Maybe we could ask the Building Official how he determines water surface area. She felt that the size of the Luray RV Resort was a good size to go by so that is how they came up with that recommended language included in the draft provided. She further noted that height restrictions were already included in the draft which would cover slides, etc. Ms. Grech didn't feel regulating the depth of the pool was necessary.

Chairman Burner noted that in the current draft under 128-5.D, it states that access to recreational facilities by the general public is prohibited. He wondered if they should automatically shut that down or leave that up to the special use permit conditions. Ms. Grech noted that the subcommittee had had a lot of discussion about that. There were different opinions from members of the subcommittee. Some had concerns over liability and health department issues related to occupancy. They decided to compromise in allowing family/friends to visit campers staying onsite, but not allow general public entry. Chairman Burner stated he was only asking for clarification and understood their reasoning. Mr. Smelser stated he also felt they came to a fair compromise.

Ms. Grech proceeded to review the remaining comments in the draft which were minor corrections. The last thing the commission will need to discuss is whether or not campgrounds should be allowed in the commercial zoning district by special use permit. Chairman Burner stated he would like to have that conversation tonight. Ms. Grech stated she felt that was more of a use matrix discussion. Chairman Burner replied that it would have to be addressed in the campground ordinance draft just like it was for the Agriculture and Woodland-Conservation districts. Ms. Grech stated if others felt that campgrounds should be allowed in the commercial district by special use permit, she felt they needed to take some time to go back and look at the ordinance with a new emphasis to see if that would change anything because the subcommittee never discussed that as a possibility. At that point, she is also thinking they need to reconsider the ten-acre minimum because that may be too little and there are discussions about other uses related to tourism venues that may end up having larger minimums and we need to be congruent. We may need to pause on the campground ordinance until that is looked at. Chairman Burner stated he had had some time to think about whether or not campgrounds should be allowed in the commercial district, and had come to the conclusion that we probably didn't need that because if they wanted to be on commercial zoned property, they can operate under hotel rules. Ms. Grech noted under the hotel rules they couldn't have tents and yurts; it would be cabins. Chairman Burner stated he felt they should just leave it by special use permit in the Agriculture and Woodland-Conservation districts. Ms. Grech stated she still felt they should go back and review the acreage minimum because she is hearing there are some discussions about considering minimum acreages for other uses within the tourism applications. She would hate to think they had decided on the campground acreage being too small compared to other uses. She had previously mentioned a lodging ordinance to address short term rentals, wedding venues, resorts, etc. so depending on what comes up in those regulations, they need to make sure they talk to the campground ordinance. Chairman Burner asked in the meantime, what did she want staff to do? Have legal review it? Ms. Grech suggested getting Economic Development's opinion on the draft ordinance. If there are comments from that department and/or legal, it would be better if it came back to the commission so that we don't lose input on their comments. Chairman Burner stated he thought both Economic Development and legal should take a preliminary look at the draft so that we keep the ball rolling at least, and Ms. Grech agreed. She stated she was concerned with the minimum acreage just based on what she is hearing. Ms. Smelser noted that they did change it in the proposed campground ordinance draft from parcel size to campground size. Mr. Turner asked if they leave it as ten acres now but if they want to change it to 25 acres, don't they have to come back for approval again. Ms. Grech noted ten was the minimum acreage. Chairman Burner stated if they decide to increase that in the future, it would require an ordinance amendment. Mr. Smelser stated he thought Mr. Turners question was, what would happen if someone had fifty

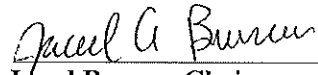
acres but they apply for a special use permit using only ten acres, then later down the road they decide to expand, they would need a new or amended special use permit. Mr. Smelser stated he was good with the ten-acre minimum. The subcommittee put in a lot of effort related to that, Mr. Hahn had provided them with map models, and Mr. Smelser stated he is comfortable with that. Ms. Grech stated her fear was that there is discussion about setting minimums for wedding venues and recreational facilities, and if we go that route, she wouldn't want to see a ten-acre minimum for campground and a 50-acre minimum for something that is a smaller operation. Ms. Smelser stated that if someone was going to come to them with something like that, then they should be prepared to show some models or maps or calculations to justify, and Ms. Grech agreed. She also noted she was happy to discuss the draft with Mrs. Fox and/or legal if they have questions on how they came to some of the language in the ordinance.

B. Review and discuss updates to the Page County Zoning Ordinance (Chapter 125)

Ms. Clatterbuck reminded the commission that the updated use matrix completed by Mr. Hahn had been provided at the last meeting. As a reminder, Mr. Hahn has incorporated the decisions/discussions that the commission had made over the last few months while reviewing the use matrix line-by-line. She noted she did not have any further information to present and asked how Chairman Burner wanted to go about in reviewing the updated matrix. Chairman Burner noted that since Mr. Hahn was absent, since he put the matrix together, if the commissioners could come up with a list of their questions for him, so that when he gets back, he could have answers for us, that is how he would like to handle it tonight instead of reviewing line-by-line. The commission proceeded reviewing the use matrix. Changes were made that can be found in the updated use matrix that will be done in the near future. Ms. Clatterbuck made record of the changes. No questions for Mr. Hahn were provided.

Adjourn

Mr. Smelser made a motion to adjourn the meeting. The motion was seconded by Mr. Turner. The meeting was adjourned at 8:30 p.m.



Jared Burner, Chairman