



AMHERST COUNTY PLANNING COMMISSION MEETING



MINUTES

March 17, 2022

Administrative Office Complex
153 Washington Street
Public Meeting Room
Meeting Convened - 7:00 PM

1. Call to Order

MEMBERS PRESENT: Michael Bryant (Chair), Catherine Gamble (Vice Chair), Jim Thompson, Michael Martineau, Beverly Jones, Chad Eby (EDA Liaison-Non Voting)

MEMBERS ABSENT: Derin Foor, David Pugh (Board of Supervisors Liaison-Non Voting), Fatima Urmani (Youth Representative-Non Voting), Emma McPhatter (Youth Representative-Non Voting)

STAFF PRESENT: Jeremy Bryant (Director), Tyler Creasy (Assistant Zoning Administrator) and Stacey Stinnett (Administrative Assistant)

Chair M. Bryant called the meeting to order at 7:00 pm.

2. Approval of Agenda

Chair Michael Bryant stated that he would like to amend the agenda by adding "Discussion of Village District Regulations," after item number seven on the agenda.

Planning Commission Recommendation:

Motion: Motion to amend the agenda.

Motion made by: Jones

Second: Gamble

Motion carried by a 5-0 vote.

3. Citizens Comments

There were none.

4. Public Hearing - Special Exception

A. 2022-086 Julie & Brian Parrow

Request by Brian and Julie Parrow for a special exception in the A-1 Agricultural Residential District. The purpose is to allow for a pastor's retreat, church and wedding venue.

Mr. Bryant presented the staff report and recommended approval with the following conditions:

1. Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
2. Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.
3. Parking: Guests shall be required to park on the property and not park on neighboring lots or on any right-of-way outside of their property unless they have written permission.
4. Transportation: The applicant shall work with the Virginia Department of Transportation for an entrance permit, if applicable.
5. Public Safety: The owner shall meet all requirements set fourth by the Director of Public Safety as it has to do with access to the property.
6. Dumpster: The dumpster shall meet all screening requirements as required in the Landscaping regulations.
7. Traffic: A parking attendant shall be directing traffic with events greater than seventy-five (75) guests.

Chairman M. Bryant opened the public hearing.

Tom Allen, who resides at 1798 Earley Farm Road in Amherst, spoke in favor of the request.

No one spoke in opposition, therefore, Chairman M. Bryant closed the public hearing.

Mr. Martineau stated that he was in favor of the request and Mr. Thompson agreed.

Planning Commission Recommendation:

Motion: Motion to approve 2022-086 Julie & Brian Parrow with staff recommendations.

Motion made by: Jones

Second: Thompson

Motion carried by a 5-0 vote.

5. Rezoning Case

A. 2022-022 Russ Nixon

Request by Russell E. Nixon for the rezoning of a parcel of land at the corner of Dillard Road and Route 130. Currently, the parcel is zoned B-2 General Commercial District. The request is

to rezone the parcel to the R-3 Multi-Family Residential District to allow the property to be developed for high density residential. The property owner desires to build townhomes.

Mr. J. Bryant stated that staff recommended the Planning Commission to postpone the request to April 21st because a new site plan had not been submitted.

Mr. Thompson asked Jeremy to clarify the 100-day rule after the public hearing for the Planning Commission and Board of Supervisors.

Planning Commission Recommendation:

Motion: Motion to postpone 2022-022 Russ Nixon until April 21, 2022 Planning Commission Meeting.

Motion made by: Jones

Second: M. Bryant

Motion carried by a 5-0 vote.

6. Potential Code Change

A. Documents

Mr. T. Creasy stated that Ms. Brandi Mays of Amherst County submitted the attached email to the Planning Commission to discuss a potential code change to allow short-term tourist rentals of teepees, yurts and other alternative structures. These structures are unable to meet the state-wide building code for a single-family dwelling. Therefore, the current zoning ordinance would not allow them to be permitted on a parcel without a principal dwelling nor would the short-term tourist ordinance allow for such use.

Mr. J. Thompson stated that he did not want to see this as a potential code change in Amherst County.

Mr. Martineau replied that he thought it was a great idea and he had stayed in some really nice yurts before.

Mr. J. Thompson stated that he would like staff to do more research.

Planning Commission Recommendation:

Motion: Motion to have staff do more research.

Motion made by: Jones

Second: M. Bryant

Motion carried by a 5-0 vote.

7. Draft Text Amendments

A. Family Division

Mr. T. Creasy stated that the Commission was presented with an email at their February meeting, asking them to consider a change to the current Family Division Ordinance to allow aunts, uncles, nieces and nephews to the ordinance's definition of a qualified family member.

Planning Commission Recommendation:

Motion: Motion to send to the County Attorney's office to be put into the form of an ordinance.

Motion made by: Thompson

Second: Martineau

Motion carried by a 5-0 vote.

B. Utility Lots

Mr. C. Creasy stated that the Planning Commission was presented with an email from Saunders Survey Inc. at their February meeting. The email illustrated the need for utility lots to help with broadband expansion throughout the County. Staff also stated that they would like for any potential ordinance to include cemeteries and stormwater facilities.

Planning Commission Recommendation:

Motion: Motion to send to the County Attorney's office to be put into the form of an ordinance.

Motion made by: M. Bryant

Second: Gamble
Motion carried by a 5-0 vote.

Village District Requirement Discussion:

Mr. Thompson stated that he would like site plans in the Village District to come before the Planning Commission for review if they are larger than 5,000 square feet.

Mrs. Gamble stated that she would like to see Siteplans for the Village District brought back to the Planning Commission for review.

Ms. Jones stated that all Village Districts in Amherst County are different. The area is different as in buildings and communities. She felt that what one might feel looks great and is a perfect fit for the Village District in Elon does not mean it is a good fit in the Village District in Madison Heights. However, Ms. Jones stated that when making changes to the ordinance, the Planning Commission must remain fair and treat all Village District site plans fairly and equally.

Mr. Martineau reminded the Planning Commission that site plans are by-right use and, regardless of how the Commission may want the outcome to be, the point is, we can't make these tweaks and personal changes to siteplans when they are considered a by-right use in the ordinance.

Chair M. Bryant stated that turning a site plan down for reasons based on appearance was not being business friendly.

Mr. Eby, representing the Economic Development Authority, stated that the EDA wanted the County to remain business friendly and by imposing such strict regulations would discourage businesses from coming to this area.

Planning Commission Recommendation:

Motion: Motion to change the ordinance so that Village District Siteplans that are over 7,500 square feet must be reviewed by the Planning Commission.

Motion made by: Thompson

Second: M. Bryant

The motion failed 1-4 (M. Bryant, Martineau, Jones and Gamble)

There was a consensus that the Planning Commission trusted staff with making responsible and good recommendations while reviewing site plans.

There was a discussion amongst the Planning Commission that staff consider arch elevations when reviewing future site plans.

Planning Commission Recommendation:

Motion to add language to the ordinance that site plan submittals for the Village District must include arch elevations.

Motion made by: M. Bryant

Second: Thompson

Motion carried by a 5-0 vote.

Mr. J. Bryant discussed the Madison Heights Master Plan and stated that a survey would be conducted within two weeks getting ideas from EDA, Board of Supervisors, Planning Commission, citizens and property owners within the area. The survey will hopefully help guide the process of the envision.

8. Comprehensive Plan

A. Documents

Mr. T. Creasy stated that the attached press release from the US Census Bureau indicates that the release of the 2016-2022 American Community Survey 5-year data is scheduled for mid-to-late March. Several data tables in the County's Comprehensive Plan incorporate this data and therefore the approval process for the County's rewrite of the Comprehensive Plan is being delayed.

9. Site Plan Updates

A. Site Plans

Mr. T. Creasy updated the Planning Commission on the siteplans currently in the office.

10. Old/New Business

Mr. J. Bryant updated the Planning Commission on CVTC Master Plan, Redistricting Committee and Broadband.

Mr. J. Thompson questioned Mr. Creasy why most of the text had been removed from the Comprehensive Plan under Public Works. Mr. Creasy stated that the Sheriffs Office handled that particular section of text and he would reach out to them to find out.

Mrs. Catherine Gamble questioned staff asking why doesn't the Planning Commission do Invocation and Pledge of Allegiance. Mr. J. Bryant stated that as long as he had been

employed, the Planning Commission had not done that, but we would certainly change that if the Commission sees fit.

Planning Commission Recommendation:

Motion: Motion to add Invocation and Pledge of Allegiance to the agenda from now on for the Planning Commission.

Motion made by: Gamble

Second: Thompson

Motion carried by a 5-0 vote.

11. Approval of Minutes for February 17, 2022

A. Minutes

Planning Commission Recommendation:

Motion: Motion to approve the February 17, 2022 Planning Commission Meeting Minutes as submitted.

Motion made by: Jones

Second: M. Bryant

Motion carried by a 5-0 vote.

12. Adjournment

There being no further business to discuss, the meeting was adjourned at 8:25 pm.

Planning Commission Recommendation:

Motion: Motion adjourn.

Motion made by: Martineau

Second: Thompson

Motion carried by a 5-0 vote.