



AMHERST COUNTY PLANNING COMMISSION MEETING



MINUTES

May 18, 2023

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

1. Call to Order

MEMBERS PRESENT: Catherine Gamble (Chair), Derin Foor (Vice Chair), Beverly Jones and Jim Thompson.

MEMBERS ABSENT: Michael Martineau and Michael Bryant, David Pugh (Board of Liaison Non-Voting Member) and Annalyn Burley (Youth Representative Non-Voting Member).

STAFF PRESENT: Tyler Creasy (Interim Community Development Director) and Stacey Stinnett (Administrative Assistant).

Madam Chair Gamble called the meeting to order at 7:00 pm.

2. Approval of Agenda

The agenda was approved as submitted.

Planning Commission Recommendation:

Motion: Motion to approve the agenda.

Motion made by: Thompson

Second: Foor

Motion carried by a 4-0 vote.

3. Pledge of Allegiance & Invocation

Mr. Thompson led in prayer and then led in the Pledge of Allegiance.

4. Citizens Comments

There were none.

5. Public Hearings

A. 2023-193 Pamela Turner (Special Exception)

Request by Pamela Turner for a special exception in the A-1, Agricultural Residential District. The purpose of the special exception is to allow a photography venue, special events place for weddings and other similar uses, and a short-term tourist rental of a dwelling. The property is located at 2770 Elon Road and is further identified as tax map number 121-A-22.

Mr. Creasy presented the staff report and gave staff's recommended 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: All requirements from the Virginia Department of Transportation for the entrance shall be met.
5. Public Safety: The owner shall meet all requirements set forth by the Director of Public Safety as it has to do with access to the property.
6. Traffic: A parking attendant shall be directing traffic with events greater than seventy-five (75) guests.
7. Short-Term Tourist Rental: The applicant shall meet all requirements of Section 916 which regulates short-term tourist rental of dwellings.

Madam Chair opened the public hearing.

Paul Kilgore, the realtor that sold Mrs. Turner the property, spoke in favor of the request.

There being no further speakers, Madam Chair Gamble closed the public hearing.

Planning Commission Recommendation:

Motion to approve case 2023-193 Pamela Turner with staff recommendations.

Motion made by: Thompson

Second: Foor

Motion carried by a 4-0 vote.

B. 2023-165 Sunni and Samantha Stonelake (Special Exception)

Request by Sunni and Samantha Stonelake for a special exception in the A-1, Agricultural Residential District. The purpose of the special exception is to allow a kennel. The property is located at 245 Old Farm Road and is further identified as tax map number 54-A-23.

Mr. Creasy presented the staff report and commended approval with the following conditions:

1. Entrance: Prior to the issuance of a zoning permit, the applicant shall contact the Virginia Department of Transportation and receive a proper entrance permit, if required.
2. Sewage: Prior to the issuance of a zoning permit, the applicant shall contact the Virginia Department of Health and/or the Department of Environmental Quality to determine if the septic system is adequate.
3. Number of dogs: No more than 10 dogs shall be bred at the facility at any one time.
4. Noise: No animal shall howl, bark, whine, meow, or make other such noises that are plainly audible on the property of another person and which occur repeatedly or continuously for a period of thirty (30) minutes or more in duration.
5. Inspection: The facility shall be inspected and approved by Amherst County Animal Control and issued a Certificate of Compliance (Amherst County Kennel Ordinance) prior to the issuance of a zoning permit.

Madam Chair Gamble opened the public hearing,

Sunny Stonelake, the applicant, spoke in favor of the request. Mrs. Stonelake stated that she breeds quality yorkshire terriers and that most of her clientele are out of state. Mrs. Stonelake also mentioned that she had spoken with staff and that the number of dogs allowed was up to twenty (20) not ten (10).

There being no further speakers, Madam Chair Gamble closed the public hearing.

Planning Commission Recommendations:

Motion to approve 2023-165 Sunni and Samantha Stonelake with staff recommendations and amending condition number three (3) from a maximum of ten (10) dogs to a maximum of twenty (20) dogs allowed.

Motion made by: Jones

Second: Foor

Motion carried by a 4-0 vote.

C. Resolution # 2023-7

A public hearing to consider a resolution for the revocation of Special Exception 2020-380 pursuant to Section 1003.03(11) of the Amherst County Zoning Ordinance. Special Exception 2020-380, with conditions, was previously approved by the Board of Supervisors for a trucking business and is located at tax map number 82-A-15A.

The Board of Supervisors directed staff at its March 7th Board of Supervisors meeting to begin the process of revoking special exception 2023-380. Per section 1003.03.11 of the Amherst County Zoning and Subdivision Ordinance, the board of supervisors may, by resolution, initiate a revocation of a special exception permit. When initiated, the revocation process shall be handled as would a new application for a special exception permit to include the holding of respective public hearings by both the planning commission and board of supervisors as provided for in Section 15.2-2204 of the Code of Virginia, 1950, as amended.

Madam Chair Gamble opened the public hearing.

No one spoke in favor or in opposition to the request. Therefore, Madam Chair Gamble closed the public hearing.

Planning Commission Recommendation:

Motion to approve Resolution # 2023-7 to the Board of Supervisors.

Motion made by: Gamble

Second: Thompson

Motion carried by a 4-0 vote.

D. Ordinance 2023-4 Amending and Enacting Section 711 of Article VII

Amending and enacting §§ 711 of Article VII – Use Requirements by Zoning Districts, of Appendix A – Zoning and Subdivisions Ordinance to the Code of the County of Amherst, Virginia. The proposed ordinance modifications to the Mixed Use / Traditional Neighborhood Zoning District are about setback regulations, increase in density, lot size requirements, and development standards (i.e., lighting, sidewalks, etc.).

The Planning Commission held a workshop on 2/2/2023 to discuss possible code changes to the MU/TND zoning district. Mr. Creasy reviewed the proposed ordinance addressing the discussed code changes with the Planning Commission's recommendations.

Madam Chair Gamble opened the public hearing.

Sam Patel, developer for Madison Heights Town Centre, spoke in favor of the Ordinance. However, he stated he was under the assumption that he was only required to put street lights on one side of the street in residential areas.

There being no further speakers, Madam Chair Gamble closed the public hearing.

There was a brief discussion amongst the Planning Commission regarding street lights to be required on one side of the street in all residential areas.

Planning Commission Recommendation:

Motion to approve Ordinance 2023-4 with staff recommendations and correction to add street lights to one side of the street in all residential areas.

Motion made by: Jones

Second: Foor

Motion carried by a 4-0 vote.

6. Special Exception (Non-Public Hearing)

A. 2023-116 Phyllis Maire

Request by Phyllis Maire for a special exception in the A-1, Agricultural Residential district. The purpose of the special exception is to allow a photography venue and a special event place for weddings, tea parties, and other similar uses. The property is located at 2409 Riverville Road and is further identified as tax map numbers 130-A-21 and 130-A-21A.

Mr. Creasy recommended that the Planning Commission table the special exception until the April meeting due to the lack of information because he had not heard back from CSX Railroad.

Planning Commission Recommendation:

Motion to table 2023-116 Phyllis Maire special exception request until June 22, 2023.

Motion made by: Gamble

Second: Foor

Motion carried by a 4-0 vote.

7. Potential Ordinance Change

A. Solar

The Planning Commission at their April 2023 meeting, directed staff to include additional language to the County's utility-scale solar ordinance.

Mr. Creasy stated that he has made some of the revised changes to the ordinance but felt that the Planning Commission would benefit by having a workshop to discuss the ordinance.

Planning Commission Recommendation:

Motion to table the potential ordinance changes to the Solar Ordinance and convene at a workshop in which staff will coordinate and notify the Planning Commission of a date at the

next meeting.

Motion made by: Thompson

Second: Jones

Motion made by: 4-0 vote.

8. Youth Participants

A. Orientation Guideline

Mr. Creasy presented the Commission with information about potential project ideas for future youth participants. These potential projects were:

- Future Land Use Map Update
- Help digitize old zoning permits and site plans and develop a comprehensive database so that they are easily searchable
- Help staff with future code changes through research and draft language
- Create "How Do I.." forms for the numerous types of permits offered by planning and zoning.
- Comprehensive Plan rewrite
- "Youth Day" - the youth participant(s) joins staff in their day-to-day tasks / helps run Planning Commission for a meeting.

The Planning Commission would like for staff to start advertising these positions by next month.

9. Site Plan Updates

A. Site Plan Spreadsheet

Mr. Creasy updated the Planning Commission on site plan reviews.

10. Old/New Business

The Planning Commission and staff discussed progress with Broadband.

There was discussion about the timeline for Madison Heights Square Centre being completed within a 10-15 year timeline.

Ms. Jones and the Planning Commission commended Tyler Creasy and Stacey Stinnett on doing a fantastic job while being short-staffed.

There was a brief discussion about the Central Virginia Training Center (CVTC), regarding the state offering the property to the County and giving them 180 days to make a decision.

Mr. Creasy stated that the extension of Lynchburg Road, located near the Economic Development Authority Office, would be completed by next month.

11. Approval of Minutes for April 20, 2023

A. Attachment

Planning Commission Recommendation:

Motion to approve the April 20, 2023 Planning Commission Meeting Minutes with a couple minor grammar corrections.

Motion made by: Foor

Second: Gamble

Motion carried by a 4-0 vote.

12. Adjournment

There being no further business to discuss, the meeting was adjourned at 8:06 pm.

Planning Commission Recommendation:

Motion to adjourn.

Motion made by: Foor

Second: Gamble

Motion carried by a 4-0 vote.