



**AMHERST COUNTY
PLANNING COMMISSION
MEETING**



MINUTES

July 16, 2026

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

1. Call to Order

MEMBERS PRESENT: Michael Bryant (Chair), Beverly Jones, Bill Wise, Susan Schjonning, Jim Thompson, Bob Baxter, Chris Adams (Board of Supervisors Liaison), Andrew Proctor (EDA Representative)

MEMBERS ABSENT: Michael Martineau

STAFF PRESENT: Tyler Creasy (Director of Community Development), Tyler Amburgey (Assistant Zoning Administrator), Haley Alger (Administrative Assistant)

Bryant called the meeting to order at 7:01pm.

2. Invocation & Pledge of Allegiance

Bryant led the invocation and then the Pledge of Allegiance.

3. Approval of Agenda

The agenda was approved with two changes.

¹Added change after Citizen Comments: Addition to elect the Chair and Vice Chair.

Change under Public Hearing: Move Item A, Special Exception 2026-349 (Harris) under Item D, Ordinance 2026-6 (Data Centers), resulting in the remaining items moving up accordingly.

Motion: Bryant

Second: Thompson

Motion carried with a 6-0 vote.

4. Citizens Comments

None

¹ Due to the approval of SB699, this agenda addition and motion are null and void. The voting of Commission Chair and Vice-Chair will need to happen at the next regularly scheduled meeting.

24A. Voting of Chair and Vice Chair

Michael Bryant was voted as Chair.

Motion by Jones: Motion to elect Michael Bryant as Chair.

Second: Schjonning

Motion carried with a 6-0 vote.

Susan Schjonning was elected as Vice Chair.

Motion made by Bryant: Motion to elect Susan Schjonning as Vice Chair.

Second: Thompson

Motion carried with a 6-0 vote.

5. Public Hearing

A. Special Exception 2026-356 Harper

Request by Jessica Harper to amend a condition associated with special exception no. 2017-01, which allowed a kennel that provides boarding and grooming services in the A-1, Agricultural Residential District. The proposed amendment would increase the number of dogs that are allowed to be boarded from 20 to 45. The proposal also includes the conversion of an existing structure into a grooming facility and the construction of a kennel and office space. The property is located at 144 Geddes Mountain Road and is further identified as tax map no. 54-A-18A.

Mr. Creasy presented the staff report and concluded his comments by stating that staff recommended the following conditions:

1. At no time shall the total number of boarded dogs on the property exceed forty-five (45).
2. The site shall be developed in general conformance with the submitted special exception application and conceptual plan dated June 24, 2026. A site plan in accordance with Article XI shall be submitted and approved from all applicable agencies and departments for a zoning permit to be obtained.
3. A single row of evergreen trees shall be planted between the new proposed kennel and runs and parcel ID 54-A-19. The species of trees shall be from section 1610.d, planted 10' on center and at a minimum height of 4' feet.
4. Prior to the issuance of a zoning permit, the applicant shall receive approval from the Virginia Department of Health and/or the Department of Environmental Quality for the proposed septic tank and drainfield.

² Due to the approval of SB699, this agenda addition and motion are null and void. The voting of Commission Chair and Vice-Chair will need to happen at the next regularly scheduled meeting.

5. Entrance: The existing entrance shall be maintained in a safe condition, and any modifications required by VDOT shall be completed prior to occupancy of the proposed kennel building, if applicable.
6. All requirements set forth by the Fire Marshall regarding fire access shall be met prior to occupancy of the proposed kennel building, if applicable.
7. The proposed barn to be converted to a groom shop shall be required to obtain a change of use permit and receive approval from the Division of Building Safety and Inspections.
8. Noise: No animal shall howl, bark, whine, meow, or make other such noises which 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.
9. Hours of Operation for customers: Monday – Sunday 8:00 am – 8:00 pm

Chairman Bryant opened the public hearing.

Jessica Harper, applicant, spoke in favor of the request. Harper spoke about the support she has had from neighbors, and the need to expand the business due to limited space and interest from new clients.

Crystal Morandy, employee, spoke in favor of the request, and talked about there being a limited time when the dogs would be outside making noise. She stated that they give them exercise and keep them calm.

Phil White, previous owner, spoke in favor of the request. He stated that the noise level is low, and that they have had to turn new clients away due to space.

Judy Petch, client, spoke in favor of the request, stating that they would appreciate the expansion so that there would be more openings.

Chris Cochorse, client, spoke in favor of the request, stating the need for a kennel in the community, and that it is financially beneficial due to job openings and tax revenue.

Jason Prechel, neighbor, spoke in opposition to the request, with concerns about limiting his access to his property.

No one else wanted to speak; therefore, Chairman Bryant closed the public hearing.

The Planning Commission had a discussion regarding the proposal.

Planning Commission Recommendations:

Motion made by Jones: Motion to recommend approval of Special Exception 2026-356 to the Board of Supervisors with staff recommended conditions.

Second: Bryant

Motion carried with a 4-2 vote. (Schjonning and Thompson)

B. Ordinance 2026-5 Vape Shops and Medical Cannabis

Amending and reenacting the Amherst County Code by amending and reenacting Appendix A, Zoning and Subdivisions, Article III, Definitions of Terms used in this Ordinance, Section 302, Specific Definitions, Article VII. Use Requirements by Zoning Districts, Sections 706, 707, 711, and 712, and Article IX. Special Provisions. The purpose of this ordinance is to define recreational substance retailers (vape shops) and medical cannabis dispensing facilities and classify them as a special exception in the V-1, Village District, B-2, General Commercial District, Mixed Use/Traditional Neighborhood District, and the RMU-1, Residential Mixed Use District. The proposed ordinance also provides specific requirements that recreational substance retailers (vape shops) and medical cannabis dispensing facilities shall meet, which include the following, but are not limited to: separation from other uses, operational standards, and site design.

Tyler Amburgey presented the proposed ordinance.

Chairman Bryant opened the public hearing.

No one spoke in favor or opposition; therefore, Chairman Bryant closed the public hearing.

The Planning Commission had a discussion regarding the proposed ordinance.

Planning Commission Recommendations:

Motion made by Thompson: Motion to recommend approval of Ordinance 2026-5 to the Board of Supervisors as presented.

Second: Jones

Motion carried with a 6-0 vote.

C. Ordinance 2026-6 Data Centers

Amending and reenacting the Amherst County Code by amending and reenacting Appendix A, Zoning and Subdivisions, Article III, Definitions of Terms used in this Ordinance, Section 302,

Specific Definitions, Article VII. Use Requirements by Zoning Districts, Section 708 and Article IX. Special Provisions. The purpose of this ordinance is to update the definition of data centers, reclassify data centers from a by-right use to a special exception use in the M-1, Industrial District, and provide specific regulations relating to special exception submission requirements and development standards.

Tyler Creasy presented the proposed ordinance.

Chairman Bryant opened the public hearing.

Fred Fitzsimmons spoke in favor of the ordinance, with concerns regarding water usage and dated information.

Teresa Almond spoke in favor of the ordinance, with concerns about Data Centers being new, and would like a temporary moratorium be placed.

Kyle Murphy spoke in favor of the ordinance.

Stacey Tursiella spoke in favor of the ordinance, with concerns about noise mitigation.

Teresa Bartholomew spoke in favor of the ordinance.

Jeannette Arrington spoke in favor of the ordinance, with concerns for water, electricity, and wildlife. She asked if the Planning Commission would consider a moratorium.

Samantha Salvi spoke in favor of the ordinance, with concerns about water contamination and sound pollution.

Gary Eaton spoke in favor of the ordinance, and spoke about the county's natural beauty and is asking for more limitations to be placed.

Lisa Jonas spoke in favor of the ordinance, with concerns about the height clearance and how that can affect sound output.

Daniel Booker spoke in favor of the ordinance, with concerns about testing for vibrations, and is asking for a moratorium to be placed.

Laura Hundley Stone spoke in favor of the ordinance, with concerns about heat elevation surrounding data centers, and is asking for a moratorium to be placed.

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

The Planning Commission had a conversation regarding the proposed ordinance.

The Planning Commission instructed staff to make the following changes:

- Decrease the setback to residential and agricultural zoned land from 500ft to 350ft
- Add 5 decibels to the drafted ordinance for maximum allowable sound. The original drafted levels will serve for nighttime conditions, and the new levels will serve for daytime conditions.

The Commission then held a vote regarding maximum height.

Motion made by Jones: Motion to change maximum height to 60ft.

Second: Bryant

Motion approved with a 5-1 vote. (Thompson)

Planning Commission Recommendations:

Motion made by Jones: Motion to recommend approval of ordinance 2026-6 to the Board of Supervisors with the listed changes:

- Decrease the setback to residential and agricultural zoned land from 500ft to 350ft
- Add 5 decibels to the drafted ordinance for maximum allowable sound. The original drafted levels will serve for nighttime conditions, and the new levels will serve for daytime conditions.
- Maximum height will be 60ft

Second: Schjonning

Motion carried with a 6-0 vote.

D. Special Exception 2026-349 Harris

Request by James E Harris, III and Crystal Harris for a special exception in the A-1, Agricultural Residential District. The purpose of the special exception is to allow a photography venue and special events that will include, but are not limited to, weddings, outdoor movies, and farmers' markets. The property is located at 1607 N. Amherst Hwy and is further identified as tax map number(s) 67-A-26A and 26B.

Tyler Creasy presented the staff report and concluded his comments with the following recommended conditions:

- a. Attendance for any individual event shall not exceed 500 persons, including guests, vendors, and event staff.
- b. Time and Hours of Operation for event(s) shall adhere to the following:
 - i. Farmers' Market

1. Twice a month from June – September
 2. 8:00 am – 12:00 pm
- ii. Farm Visits
 1. Appointment Only from 10:00 am to 5:00 pm
 - iii. Outdoor Movies
 1. Once a month and only on Saturdays
 2. Movies shall stop at 10:00 pm.
 - iv. Haunted Woods
 1. Only on Saturdays during October
 2. 6:00 pm – 9:00 pm
 - v. Weddings and Similar Events
 1. All amplified music shall cease by 10:00 pm
- c. Prior to the issuance of a zoning permit, the applicant shall receive approval for their entrance from the Virginia Department of Transportation.
 - d. Parking shall be limited to the area shown on the conceptual plan, and no parking shall be allowed on neighboring properties or the right-of-way.
 - e. Events exceeding 250 persons shall have adequate traffic management personnel to facilitate parking and ingress and egress into the site.
 - f. Portable restroom facilities shall be provided consistent with applicable Health Department requirements and event attendance.
 - g. Any outdoor lighting shall be shielded and directed downward to minimize impacts on adjacent properties.
 - h. All applicable Fire Marshal requirements shall be satisfied before the issuance of a zoning permit, and fire lanes, access roads, and emergency entrances as shown on the conceptual plan dated June 24, 2026, shall remain unobstructed during all events.
 - i. The development shall be consistent and operate in general conformance with the submitted special exception application and conceptual plan dated June 24, 2026.

Chairman Bryant opened the public hearing.

Crystal Harris, the applicant, spoke in favor of the request, and stated that they want a space for children and the community to have fun.

No one spoke in opposition to the request; therefore, Chairman Bryant closed the public hearing.

The Planning Commission had a discussion regarding the proposal and specifically about noise from special events that may affect adjoining property owners.

Planning Commission Recommendations:

Motion made by Jones: Motion to recommend approval of Special Exception 2026-349 to the Board of Supervisors with staff recommendations, and with the added condition that receptions shall be held near the existing barn on the property.

Second: Thompson

Motion carried with a 6-0 vote.

6. Old/New Business

A. Manufactured Homes

SB 346 and HB 655 - Amends existing provisions that require localities to permit manufactured homes in areas zoned for agriculture by expanding such requirement to all zoning districts where site-built housing is allowed, with certain conditions. The bill provides that localities shall not adopt or enforce any zoning, land-use, or development regulation that treats manufactured homes differently or more restrictively than a single-family site-built dwelling allowed in the same zoning district.

The drafted ordinance aligns the County code with the bill passed by the State, which went into effect on July 1, 2027. The draft also includes a change to the Route 130 Overlay district, in which all structures within the 400' overlay will now require special exception approval before construction.

Tyler Creasy presented the bill, and concluded his statements by asking the Planning Commission to provide staff with any necessary changes.

The Planning Commission had a discussion regarding the bill.

Planning Commission Recommendations:

Motion made by Schjonning: Motion to table until the August meeting, and bring back a list of all structures approved within the overlay over the past calendar year.

Second: Bryant

Motion carried with a 6-0 vote.

7. Site Plan Review

A. Site Plan Updates

Mr. Amburgey presented an update regarding the current site plans, erosion and sediment control plans, and subdivisions in the county.

8. Approval of Minutes

A. April 16th, 2026 Meeting Minutes

Motion made by Bryant: Motion to approve April 16th, 2026 meeting minutes.

Second: Jones

Motion carried with a 4-0 vote. (Martineau, Thompson, and Baxter abstained as they were not present during April 16th, 2026 meeting.)

B. May 21st, 2026 Meeting Minutes

Motion made by Jones: Motion to approve May 21st, 2026 meeting minutes.

Second: Schjonning

Motion carried with a 5-0 vote. (Wise and Baxter abstained as they were not present during the May 21st, 2026 meeting.)

C. June 18th, 2026 Workshop Meeting Minutes

Due to Chairman Bryant not being at the June 18th, 2026 Workshop, he had to abstain from voting.

Motion by Schjonning: Motion to approve June 18th, 2026 Workshop meeting minutes.

Second: Thompson

Motion carried with a 5-0 vote.

D. June 18th, 2026 Meeting Minutes

Due to Chairman Bryant not being at the June 18th, 2026 meeting, he had to abstain from voting.

Motion made by Schjonning: Motion to approve June 18th, 2026 meeting minutes.

Second: Jones

Motion carried with a 5-0 vote.

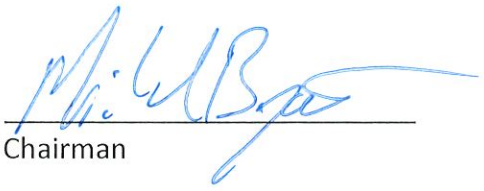
9. Adjournment

There being no further business to discuss, the meeting was adjourned at 10:25.

Motion made by Jones.

Second: Schjonning

Motion carried with a 6-0 vote.


Chairman