

MINUTES
PAGE COUNTY PLANNING COMMISSION
June 14, 2022

Members Present

Tom Mitchell, District 2
Isaac Smelser, District 4

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

Members Absent

Catherine Grech, Secretary, District 1

Staff Present

Tracy Clatterbuck

Call to Order

Chairman Jared Burner called the June 14, 2022 Page County Planning Commission Regular Meeting 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. The meeting was available via zoom. Ms. Clatterbuck conducted an attendance roll call.

Adoption of Agenda

Mr. Mitchell made a motion to approve the agenda as presented. Ms. Smelser seconded the motion. The motion passed unanimously 4-0.

Citizen Comments on Agenda Items

Ken Farkas- Mr. Farkas stated he wanted to speak on the solar ordinance. The ordinance must protect us from them. He stated the comp plan needed to be considered when reviewing this. He doesn't feel the Board of Supervisors (BOS) should be able to waive the comp plan review. To disregard it is a mistake. There should be a zero-tolerance policy on building solar facilities on karst topography. He has heard that the Dogwood Project could contaminate wells up to nine miles away. The Cape Solar would be even worse. That is reason enough to not build on karst topography. He presented a photo of a sign going on 340N into West Virginia. It says this is a karst topography...hazmat spills dial 911. They understand the danger to their groundwater. We need to take the same position.

Beth Snider- Ms. Snider stated she was concerned the public hearing on the ordinance was not going to be held in a larger venue. She would like the county to reconsider.

Public Hearing

- A. Shenandoah Escapes, LLC- Special Use Permit Application
Ms. Clatterbuck presented the following staff report:

Shenandoah Escapes, LLC has filed a special use permit (SUP) application to operate a campground located at 870 Sedwick Road, Luray, VA, and further identified by tax map number 31-(A)-61. The parcel is currently zoned as Agriculture (A-1) and contains 49.650 acres. Pursuant to § 125-10 D.(9) of the Page County Zoning Ordinance, campgrounds are

only permitted by special use permit in the Agriculture (A-1) zoning district. Campgrounds are subject to the Page County Zoning Ordinance (Chapter 125) and the Page County Campground Ordinance (Chapter 128).

The applicant is proposing twenty (20) campsites. Each campsite will include a camping unit (dome, safari tent, yurt, tipi, treehouse, an A-frame cabin, or traditional cabin) as well as a private bathhouse (connected to well water and septic system) that includes a bathroom, shower, vanity area, seating area, and firepit. The campsites will be clustered in groups of four-to-seven (4-7) with trails linking each cluster of campsites, the parking area, the ponds, forested areas, and other amenities.

The property currently has a single-family residence that is rented on a long-term basis. The tenant will provide support for the campground and be available at all times. Neither the house nor the immediate yards are a part of the campground operation.

Staff strongly encourages the commission and board to carefully consider any proposed conditions attached to the SUP.

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

Virginia Department of Transportation (VDOT) – Per James Craun, the property is currently served by an existing entrance at 870 Sedwick Road. The existing entrance does not meet VDOT’s minimum requirements for a moderate volume commercial entrance. The proposed use for this campground requires a submission of plans to VDOT for a moderate volume commercial entrance. VDOT has located an acceptable entrance location that meets the minimum sight distance requirements.

Page County Health Department- Per Herbert Cormier, the department has no objections to the proposed use; however, he further explains Health Department requirements in the attached email dated February 3, 2022.

Page County Building Official- Per James Campbell, he has no objections to the special use. Permits and/or engineering will be required for any structures.

The Page County Comprehensive Plan, Volume I, Goal 6 states:

Policy 6.2: “Encourage economic growth that is compatible with the County’s rural character while generating a positive net cash flow for the County”.

Policy 6.6: “Promote local employment opportunities.”

Policy 6.12: “Enhance the County’s tourism and retail base.”

Based on information provided by the applicant, it is anticipated that Shenandoah Escapes will contribute significantly to the local economy during planning and construction phases as well as on an ongoing basis. It is anticipated that Shenandoah Escapes will contribute an estimated \$150,000 or more per year in taxes to the County. They also plan to partner with local farms to provide fresh locally grown produce and livestock as well as locally crafted goods.

As required in Virginia State Code, adjoining/adjacent property owners were notified of the public hearing. For the record, the following landowners submitted written comments of

objections to the request for various reasons (copies of written comments were provided to the commissioners): Joe & Regina Straka, Juanita Sedwick, Gloria Sedwick, Mary Sedwick Parkman, Kenneth & Heather McCoy, and Jonathan Franklin Mauck.

Ms. Clatterbuck concluded to note that Mr. Labadie had planned to attend in person but due to medical reasons was unable to do so. However, he is participating via zoom and had a few comments for the commission. Mr. Labadie noted he was available for any questions and did not have anything new to present.

Chairman Burner opened the public hearing at 7:11 p.m.

Joe Straka- Mr. Straka stated this area was a farming area. He was concerned with the additional traffic this would generate as there are tractors on this road all day long and year-round. He noted it was already unsafe for his wife to walk down the road with their dog and this would generate even more traffic. This county has enough campgrounds.

Lena Campbell- Ms. Campbell stated she had lived there a long time. She enjoyed the farm life and the peace and quiet. Since VDOT upgraded the road in the last ten years, the traffic has gotten heavier. She babysits two small children and she can't let them play out for fear that they will go to the road. If we have subdivisions in here, that will make it all worse. Her property faces where the proposed project is. She is not going to put up with all the noises associated with the campgrounds and she will call the law daily if she has to. She will see all of this from her front porch. She has chickens, turkeys, bees, and cows. This is farmland. Putting this on this lot will knock the farmer out of land that he has been using for years to raise his cattle and that is not right. She stated it was simple as she just didn't want it.

Sandy Sedwick Davis- Ms. Davis said there is a lot of concern with the road. It used to be a dirt road that was well traveled. Then they paved it and now it is a cut through from 340 to Bixlers Ferry to the river. The tourist that use it now drive too fast. There is a lot of tractors on this road and there are odorous fertilizers that go on the land. The tourist will not be happy with all that. This is a farming community. The comp plan is supposed to protect farming. She noted you wouldn't want a commercial entrance right across from your driveway which is what will happen to her mom's property as the driveway is proposed to be located directly across from her. She is concerned with the installation of septic fields and wells as there is no public water and sewer here. We all know that the campgrounds are flourishing all over the place, not just here, air bnbs are really big, glamping has become the latest and greatest gimmick to get into to turn these things quickly and make a lot of cash. Whether or not it will generate the tax dollars stated above, she really didn't believe it. This property does not front the river. They are going to get in the car and drive to the end of the road that abuts Bixlers Ferry Road in which is a very dangerous intersection. These tourist drink and drive and we already have a crowded river. More pollution to the river such as bottles, beer cans, using the bathroom, etc. We have enough campgrounds along the river in existence and we need to hold back here. With interest rates rising, etc. people have less and less money to spend. How do you know this will generate the income predicted? The economy is likely to go back into recessionary times which will mean a lot less money.

Beth Snider- Ms. Snider stated if she recalled this was the applicant that stated there would not be roads to the sites so people will be carrying their stuff from a central parking area to their campsite. She is not sure how sustainable that is. People don't want to carry their stuff to their campsites. At what point does this become a subdivision and not a campground? She noted that the applicant stated he had covid this evening which is why he wasn't here, but he has only been to one other meeting. They don't seem to want to be apart of the community. They just want to use the community.

Chairman Burner closed the public hearing at 7:21 p.m.

Chairman Burner gave Mr. Labadie the opportunity to respond to concerns. Mr. Labadie explained that he did want to be apart of the community. They would be promoting and participating in agriculture uses themselves. As far as the traffic, at the end of the day, they will do what VDOT requires of them which up until this point has been the requirement of the commercial entrance and they picked where that entrance had to go. Their campground clientele will likely not include children and they will enforce quiet hours, etc. He respected the opinions of the neighbors and wanted to be a good neighbor as they are open to suggestions on how they could alleviate some of the concerns.

Mr. Mitchell made a motion to recommend approval of the special use permit to operate a campground with the attached conditions on property located at 870 Sedwick Road, Luray, and further identified by tax map number 31-A-61. The motion was seconded by Mr. Smelser. Ms. Clatterbuck asked which set of conditions was included in this motion? The ones that the commission drafted or the revised draft conditions proposed by the applicant? Chairman Burner replied that the conditions that the commissioners had drafted. The motion passed unanimously 4-0.

New Business

A. Adoption of Minutes- February 17, 2022, March 1, 2022, March 8, 2022, March 22, 2022, April 12, 2022, and April 18, 2022

Mr. Turner made a motion to approve the above listed minutes as presented. The motion was seconded by Mr. Mitchell. The motion passed unanimously (4-0).

Unfinished Business

A. Review of Sign Ordinance Amendments- discuss/review proposed definitions

Chairman Burner reminded the commission that at the last meeting they decided they would start with reviewing the definitions. The commissioners proceeded to review pages 1-5 which included the definitions only striking which definition they did not want to use and amending any they wanted to keep. *(A copy of the definitions agreed upon by the commissioners is available upon request. In the future, an updated version will be provided to reflect the changes as we are further along in the review of the draft).*

B. Review of Solar Ordinance Draft

Chairman Burner explained that any changes suggested in the draft solar ordinance that is discussed tonight must be brought up at the public hearing as this document cannot be changed until the public hearing since advertisements/notice to public has already gone out based on the draft provided in the packets.

Chairman Burner noted that he and Ms. Clatterbuck did meet with Mr. Helm, County Attorney, this week to review the draft. He felt it was a very good conversation and there was good dialogue between all. Chairman Burner reviewed the proposed changes that was discussed at the meeting with the full commission. He reminded the commissioners of the joint public hearing scheduled with the Board of Supervisors on June 28, 2022.

C. Review draft of Zoning and Subdivision Ordinance- *discuss proposed prime agriculture district and industrial districts*

Ms. Clatterbuck provided the commissioners with a document titled “*Summary of Planning Commission actions on the Zoning and Subdivision of Land Ordinance Updates*”. The idea of creating this was so that it would be an easy reference point (in addition to the meeting minutes) for the commissioners and the public on following any changes that the commission had a consensus on with the ordinance update. Ms. Clatterbuck plans to update the tracker after each meeting when the ordinances are discussed.

Ms. Clatterbuck reminded the commissioners that one of the last items they talked about was the industrial zoning district and whether there would be a need to establish a second industrial zoning district. Staff invited Josh Hahn, GIS Coordinator, and Nina Long Fox, Director of Economic Development and Tourism, to participate in the discussion and provide their input. Chairman Burner stated he would like to focus on commercial and industrial with them tonight and leave prime agriculture for another meeting.

Mr. Hahn began by showing the GIS (Geographic Information System) web application he created to clearly show the location of commercial and industrial zoned properties to support the recent conversations of the Planning Commission. He provided a tutorial for the commission and members of the public.

Chairman Burner stated the commissioners had previously discussed keeping an I-1 and I-2 and then keeping a C-1 and C-2. They would like input from staff on whether they feel that is a right move or a wrong move. Part of the issue is knowing you can't take away what we already have, but how do we make a plan in those districts to make it better for Economic Development. Is there a benefit to having two commercial and industrial zoning districts? If we would keep two for each district, we would split up storage and production between the districts. We don't have a lot of current industrial uses being used now. We may have industrial zoned properties but currently they do not have industrial operations on them.

Nina Long Fox stated based on her experience in this role thus far, it is because the resources for storage and distribution are fundamentally different. If you have industrial properties and are truly promoting industrial uses you need to have resources such as rail, water, sewer, natural gas, etc. These are resources that are required to get these businesses here. It really is based on what is prime manufacturing for industrial and what is prime for storage. The sites that we own as a county (EDA) that are zoned industrial should really have never been industrial as it does not have the resources available that they would need.

Chairman Burner noted that was the information they needed to be able to move forward in updating the ordinance. In the future of the county, do you see having two industrial zoning districts? Mrs. Fox stated she did not see the relevance in that right now or in the next twenty years. For potential industrial growth, she stated they would not be where they are currently

located. If we were going to look at areas where we want growth, the southern end of the county is where you would want to see that.

Chairman Burner explained that the commission was leaning toward having two separate industrial zones in the event that years down the road if someone came knocking, they would already be prepared. Right now, we don't have the utilities we need. Mrs. Fox stated that we did actually have the resources available in the county for large scale manufacturing but it was only in the southern end of the county. There is a gas line, water, rail, and major power distribution along with a willingness from the town to extend public water to the southern end of Page County. The opportunities are there. She didn't feel like storage and distribution would be likely anywhere else other than the southern end of town because of rail. The Shenandoah area has accessibility and proximity to major work force areas. When industrial comes anywhere, they want to know where their workforce is. A commuter is within a 30-mile radius. If you drive a 30-mile radius in the northern end of the county vs. the southern end, there is a lot more opportunity for workforce because you are touching Greene County, Rockingham County, etc. All the resources that make a perfect scenario for industrial development lays within the southern end of the county. Mr. Turner noted they didn't currently have the industrial land for that though. Mrs. Fox replied that the Speedway is zoned as Industrial. Mr. Mitchell stated that in 20 years we are going to be somewhere else. Chairman Burner stated they just didn't want to limit possibilities in the future. They can't just shut the door completely. Mrs. Fox stated that it takes both resources and zoning to work together.

Chairman Burner stated he felt they should leave two industrial zones and work to come up with uses for those districts. He encouraged the commissioners to be thinking of uses they would like to see. Ms. Fox stated with all due respect, as staff and part of administration, the policy and direction is sent down to us by the Board of Supervisors. They decide what is the vision of Page County. The only vision that she is aware of that has been adopted is the Cardinal Study that shows a major emphasis in tourism and agriculture. That is the guideline as far as Economic Development that she has to adhere to. It is really important that we hear from the Board in what direction they want to go in for her to be able to deliver those types of uses. She stated she was happy to think about it knowing other trends the state is facing. Chairman Burner stated they really needed to have this conversation with the Board.

Chairman Burner moved onto the commercial zoning discussions. The consensus of the commission was to have two commercial zoning districts. He would like feedback from Mrs. Fox on her thoughts related to that. She said it would depend on what the different uses would be in the two districts. Mr. Mitchell stated you may not want a mechanic shop next to a clothing store. Mrs. Fox asked what the commission was proposing for the two districts. Chairman Burner stated that you may want light manufacturing but not necessarily industrial use that could still be commercial. Mrs. Fox asked if the difference would be retail use vs industrial scale businesses. Chairman Burner stated the goal is to try to keep the right businesses together so that there are not conflicting uses. Light businesses should go next to light businesses. Mrs. Fox stated she was new to the planning portion but from an economic development standpoint because of our limited space available for commercial use we are not getting anything. We are not receiving an abundance amount of interest for commercial uses now so why should we limit it. It's not like people are knocking down our doors to put in restaurants and retail businesses. If we had any of those types of businesses, we would be happy to embrace them and not deter them with zoning. Chairman Burner asked in her

opinion what would happen if we made campgrounds a by-right use in the commercial zone. Mrs. Fox stated she didn't know enough about planning to answer. In her picture-perfect world, we would have tourism or commercial districts that are prime for tourism type entities that would be a better fit vs more industrious commercial than retail commercial. Chairman Burner asked if they could do overlay districts like that. Mr. Hahn noted the issue with that was it required owner buy in. The advantage of having two commercial districts is the more opportunity you have to differentiate for a tourism based commercial district. Mrs. Fox stated that made perfect sense. If you have two commercial districts and one is a tourism commercial district which would apply to shopping, restaurants, campgrounds, hotels, etc. and then another commercial district off of the main throughfares to be more like the services, then that would be an appropriate fit for two zones. The biggest problem businesses have coming anywhere is they don't want to go through the special use permit process. It is really difficult getting them excited about coming here knowing they are going to have to go through the special use permit process.

Chairman Burner stated we have been using the agriculture district as a catch all. We are trying to get out of that mentality. That's the point of offering multiple zoning districts. It is going to have to require some rezonings and that conversation is going to have to happen at the Board level. We just can't do that process along with the update to the ordinances at the same time due to staffing. Mrs. Fox stated that should affect your decision of knowing what uses you are going to allow by-right. Chairman Burner stated it was much like the chicken and the egg. Do we allow a use matrix to be as if we had a pile of existing commercial and industrial real estate or do we go ahead and get a bunch of real estate for commercial and industrial? We are trying to lay the ground work. Mrs. Fox stated she understood the predicament. Mr. Mitchell stated the other part of it is trying to see the future just a little bit. We have to set up one to get to the other and the ordinance amendments need to come first. Mrs. Fox noted the reason agriculture becomes the catch all here is because ninety some percent of our land is zoned that way.

Mrs. Fox stated she would look at some of the states area they are looking to promote in the next 5-15 years and come back to see how that compares to the current by-right uses in the commercial and industrial zones and provide a list to Ms. Clatterbuck. She said the biggest issue she is facing in her office is not the by-right uses, it's the limited amount of property available with commercial zoning. Mr. Smelser asked if some of the businesses are saying we don't have the zoning, are they not willing to come in and go through the rezoning process because it is difficult and Mrs. Fox confirmed. Mr. Smelser then questioned if rezoning was more difficult than the special use process. Mrs. Fox replied both were in that there is no guarantee. They have to either own the property or convince the current property owner to go through that process where the sale is contingent on the "what ifs". During this market, no one has time to wait on a six-month study period for these situations so they don't come here. Starting a business is risky period. Starting one in an area that is not allowed by-right is almost impossible.

Mr. Mitchell asked if she had ever been to little Nashville where everything is piled on top of each other and that is one thing I could see Page County being over a period of time especially since we have become very popular lately. Mrs. Fox stated she heard the comment all the time that we don't want to be a Pigeon Forge and she agreed as a local and native to the county. She loved the county the way it is and was quite alright with the way it is. However, we also have to ask our citizens are you quite alright with the cost of your real

estate tax and your personal property tax because those are all things that are on the residents because there are costs we have incurred as a county that we have to pay. Either we pay it or we bring industry in that is going to help dilute that. Mr. Mitchell stated the campground application they heard tonight was a prime example. Our lack of planning gave them the ability to do this because we didn't have it written. If we want Page County to stay like you like it, we have to make it there so we can say this doesn't work in this area. Mrs. Fox replied that it didn't matter what she liked. What matters is what does Page County want. The Board of Supervisors are elected officials that are in those positions to state that. When they come up with a policy, vision, or plan for the direction we are heading in we can then help with guiding principles/policies to help align ourselves in that direction. It is very difficult without that.

Chairman Burner asked when that vision and initiative was going to come. Mrs. Fox replied he should ask his appointee. We are the staff and admin; we don't get to dictate that direction. That is not in our policy, scope, or ability. It is all the people that appointed you to these seats that you need to have these conversations with. Then, staff will administer that direction happily. There are a lot of things happening on the economic scale that contradicts what is in our zoning. There are issues that staff face where we feel like the left hand doesn't know what the right is doing but we are working through it. It pains her to say that, but it is not my decision. They have to make that choice. We do have a meeting coming up where hopefully they will see the true need for having this and it will make a difference and we will be able to give you clear answers. Chairman Burner stated he understood but they were going to keep moving forward.

Mrs. Fox recommended the commissioners read the Cardinal Study. She stated we needed a very strategic plan and the communities that have plans are reaping the rewards of it. Chairman Burner stated the Board needed to have the conversation of the direction because we are going to finish this thing this year. Mrs. Fox stated she understood they needed it for purposes of the ordinance but we need it in every single department too. Mr. Turner thanked them for attending and providing input.

Open Citizen Comment Period

Beth Snider- Ms. Snider stated one thing to consider regarding solar is that the interconnection agreement that they have for the Cape Project is from the old project that was denied. PJM said it was up to Urban Grid to let them know it was denied so do they just get to keep that interconnection agreement forever or does each project coming forward need a new interconnection agreement? By using the old interconnection agreement, they don't have to abide by the new DEQ rules coming out.

Chairman's Report

Chairman Burner stated when they were requesting the joint public hearing with the Board on solar, he was focused on content and not the venue. We should have asked for a larger venue but simply forgot that part of it. It is too late to change the venue now being ads have already gone out.

Clerk's Report

None

Adjourn

Planning Commission
Minutes- June 14, 2022

Chairman Burner requested a motion to adjourn the meeting. Ms. Turner made a motion to adjourn. The motion was seconded by Mr. Smelser. The meeting was adjourned at 9:23 p.m.



Jared Burner, Chairman

