

MINUTES
PAGE COUNTY PLANNING COMMISSION
September 12, 2023

Members Present

Catherine Grech, Secretary, District 1
Isaac Smelser, District 4

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

Members Absent

Chris Adams, District 2

Staff Present

Josh Hahn

Tracy Clatterbuck

Call to Order

Chairman Burner called the September 12, 2023 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. Ms. Clatterbuck conducted an attendance roll call.

Adoption of Agenda

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

Citizen Comments on Agenda Items

Mr. Hahn noted that nobody had signed up to speak.

New Business

A. Adoption of Minutes- August 22, 2023

Chairman Burner allowed time for Commissioners to review the minutes included in the agenda packet. Mr. Turner made a motion to approve the minutes, as amended. Mr. Smelser seconded the motion. The motion passed unanimously (5-0).

B. Ian Whitlock- Special Use Permit

Ms. Clatterbuck stated Ian Whitlock has filed an application for a Special Use Permit (SUP) to operate a banquet/event facility located at 2168 Big Oak Road, Luray, VA, and further identified by tax map number 50-(A)-23A. The parcel contains 29.246 acres and is zoned as Agriculture. The property is improved with an existing dwelling, an existing barn, and numerous other existing storage buildings. If approved, the applicant is proposing to use the existing barn (approximately 40x40), which will be converted/remodeled to serve as the proposed banquet/event facility. They also have plans to erect an outdoor tent (during events) adjacent to the existing barn to use as part of the banquet/event facility. They will have a designated parking area for the facility, as well. She referred to the site plan included in the packet. They also have plans to convert several of the existing storage buildings to a restroom facility, a bar area (to be used by guests only), and storage for the proposed banquet/event facility. Pursuant to § 125-10 D. (16) of the Page County Zoning Ordinance, banquet facilities and event facilities require an SUP in the A-1 zoning district.

Copies of the comments from VDOT, the Health Department, and the Building Official are provided in the packet. She referred to an email from VDOT, which indicated that there was an existing entrance. There is a possibility for him to use the existing entrance, and there is a possibility for another entrance to be installed. He will work with VDOT on this. Staff requests that VDOT's requirements be a condition of SUP.

The Health Department had no objections to the SUP. They will need to put in an adequate septic system, and they are aware of what they need to do. They will be working with an engineer. Staff requests that the Health Department's requirements be a condition of the SUP.

Ms. Clatterbuck stated she and Mr. Campbell from the Building Department met Mr. Whitlock on site in August. Mr. Campbell did a preliminary walkthrough of the buildings to be used. During this, a structural engineering report was requested. A report from Dan Hotek was provided to the Planning Commissioners. Mr. Campbell has reviewed the report, and he provided a memo to address the number of occupants that the barn, itself, will hold. That number is 106. She stated Mr. Campbell is present if the Commission has questions. She noted that the Building Code requires 15 square feet per person. The 106 number is based on the size of the barn. There are minor structural modifications that they will have to do that will require permits and inspections. Staff requests that these be a condition of the SUP.

Ms. Clatterbuck noted that the fiscal impact is that it could result in additional revenue to the towns and county, including, but not limited to, license tax, retail sales, meals and lodging, and increased real estate values.

Staff recommendations were drafted before they had the engineering report. She requested that the Commission look at the draft conditions included in the packet. These are just to get the Commission started. She stated Mr. Whitlock is present.

Mr. Hahn summarized the major points from the Comprehensive Plan review. The site falls within the Agricultural Protection Tier. The purpose of this tier is to protect (to keep from being damaged or lost) agricultural uses and preserve the rural lifestyle and sense of community that has long defined Page County. He identified four goals that he believed is most pertinent. He referenced the Farmland Map displayed on the screen, indicating that the area of the parcel that would be part of the SUP was shown as "Moderate Farmland." He noted that a total of four residential addresses, including the residence on the applicant's property, are located within 1,000 feet of the proposed venue structure. His opinion is that this use would encourage economic growth that is compatible with the County's rural character and consistent with the purpose of the Agricultural Protection Tier.

Chairman Burner invited Mr. Whitlock to the front. Ms. Clatterbuck asked if there was anything he wanted to add, and Mr. Whitlock indicated that Ms. Clatterbuck had covered it well. He provided some background. He and his wife moved here in 2019 from the Richmond area. They are invested in doing rentals. They love the county and love hospitality, and that is what interested them in buying this farmland and starting a wedding venue. He noted that the farmhouse on site already has a business license, and they are renting that building out. Ms. Grech asked what business license they have. Mr. Whitlock stated it was an Airbnb, short-term rental. Ms. Clatterbuck asked

for confirmation that his plans were to rent the entire facility, including the short-term rental, to his wedding guests, assuming he had a wedding for that weekend. Mr. Whitlock confirmed, stating that whoever had the wedding in a given weekend would have the entire property.

Ms. Grech asked Mr. Hahn why he included Goal 3, Policy 3.22, which states: "Encourage and support the development and retention of agriculturally-related businesses as a valued element of the Page County economy." She asked how a wedding venue is agriculturally related. She realizes this is a hot topic legally. Mr. Hahn acknowledged that this can be a gray zone. Considering that approximately 90 percent of the parcels of the County are zoned Agricultural or Woodland-Conservation – Ms. Grech stated this doesn't mean that they are agriculturally-related. Mr. Hahn agreed, noting that this was an agricultural property, traditionally used for farmland. Ms. Grech indicated that she understood that, but she is pointing out that this is heavily discussed in front of the courts as we speak.

Ms. Grech asked how close the house was across the street. Chairman Burner asked if that house was occupied, and Mr. Whitlock stated the house was vacant. The garage is still used. She would like to see a site map that has more information, with all the measurements and distances.

Ms. Grech stated it was difficult for her to express an opinion on a site plan when it does not have a scale. She wants to see scale, dimensions, and where the possible entrances are. She sees the GIS scale for the parcels, but the parking doesn't indicate how big it is, how far it is from the road, setbacks from the property lines, how far the structures are from each other. Mr. Whitlock referenced the scale on the map. Ms. Grech stated she can't tell if the superimposed drawings are to scale. She would like an indication of the measurements. Chairman Burner asked what the anticipated square footage of the parking. Mr. Whitlock stated number 1 on the site plan is where the parking would be set up. He stated looking at the scale, parking would be roughly 100 x 80, but he hasn't measured it. Mr. Whitlock asked if he could just put everything on the plat, and Ms. Grech stated however he saw fit. She noted that the entrances need to be indicated, and Mr. Whitlock stated this was on the plat that he sent to VDOT. Ms. Grech stated it would be nice to have one site plan, because it makes it much easier for them.

Ms. Grech asked for Mr. Whitlock to talk about the outdoor tent. Was it to scale? What are the plans for the tent? Mr. Whitlock stated the tent would be large enough to accommodate up to 200 people. Based on 15 ft per square person, that would be 3,000 square feet, so 50' x 60'. Ms. Grech requested that this be put on the site plan, and Mr. Whitlock stated he would.

Mr. Smelser asked what the plans were for the part of the property on the other side of the Mill Creek. Mr. Whitlock stated this was Ag currently, used for cattle. Their plans are to keep it that way. We want to preserve the history of the property and keep it Ag as much as we can.

Chairman Burner stated he has the report from Mr. Campbell for 106 people. He read the engineering report that indicated the need for tests in the corners. If the test comes back that the barn is weak and doesn't have the pounds per square foot, does this number go down? Are your numbers strictly calculated by square footage, not necessarily load capacity of the building? Or will the building have to be updated to meet that load capacity? Mr. Campbell stated the numbers that he gives are based solely on square footage. Before he would ever give a final for it to be an event venue, the applicant would have to get the proper permits, proper engineering and make sure it is stable and will withstand the load that is required by the code. He signed off on it because the applicant is willing to do these steps if it gets to the point. Will the barn be okay as it sits now? No. But before it is turned over and a change of use is done, these steps will need to be done before he will sign off.

Chairman Burner stated there is a capacity for barn. If you potentially have an outdoor tent in combination with it, at what point is the maximum capacity of the entire venue given VDOTs comments of 200 trips per day for these entrances? Mr. Campbell stated a couple things will come into play when they get to that point. Occupancy for the whole site will be determined by the Health Department and the size of the system that is put in. He stated he has to look at the tent and the barn as two separate structures. Ms. Grech asked for clarification: the 106 would not be revised up, but it might be revised down, in case the engineering study turn out not to be what he is anticipating. Mr. Campbell agreed this was true for the barn, itself. Ms. Grech stated she didn't think we had ever issued an SUP based on the capacity for any structure besides the primary structure. This makes her uncomfortable. If we assume a tent has a capacity for 50 people, and the barn has 106. If there is a terrible weather event, the people will need to go into the barn, and now you have 156 people in the barn. How do we prevent that in the SUP? We've never done this. It is setting a precedent that may or may not be desirable. She doesn't see how we enforce limiting the capacity of the barn unless we limit the capacity of the entire venue.

Tracy stated most of the complaints within an SUP will be complaint-generated. We are not going to just show up to a facility with clickers and count the people going in and out. If we were to get a complaint about the weather event scenario, James does not have the authority to address that. That responsibility falls to the state Fire Marshall's office, because we don't have a Fire Marshall. The only thing we can do is put conditions in the permit that address the occupancy. Ms. Grech stated she understands, but if we use Mr. Whitlock's example, that triples the capacity of the barn. That's a problem. The first thing we mention in preambles to our ordinances is to preserve the safety and welfare of the public. What if there is a major event and the barn crashes because there are 300 people in it? Where does that leave us liability-wise? Allowing an SUP to have a number that exceeds the capacity of the major structure is a problem. Mr. Campbell stated his opinion is that once we set the occupancy load at 106, we turn that over to Mr. Whitlock and the liability is on him to control the occupant load of the barn. If he sees that it is calling for a storm, it's his liability to be there to make sure the barn is not overloaded. Chairman Burner stated

one structure is very simple, but allowing for variable-size second structure makes is very complicated.

Ms. Grech added that as the event facility ordinance reads now, for any event that occurs outdoor, you need a festival permit. This has nothing to do with the SUP. One might contend that the permitting of the tent is not part of the SUP. She doesn't know that we necessarily need to change that. She reiterated wanting to see more information about the tent on the site plan. There was more discussion about what the site plan should show. Mr. Whitlock asked if there was a minimum setback that he needs to show, and Ms. Clatterbuck state no, but Ms. Grech stated they would still like to know.

Mr. Smelser asked how many people he would like to have. Mr. Whitlock stated he and his wife are not targeting 200 people. The average wedding is about 100 to 125. But he doesn't want to turn people away, either. The 200 maximum would be based on the septic system. The soil scientist said they have adequate drain field for 200 people. The norm will be 100 to 125. Mr. Smelser asked if he would be upset if they set a maximum at 150 or 125. Mr. Whitlock stated he wanted to use the barn as part of the wedding because the setting is appealing to people. But there are modifications to the barn that he has to do. The memo from the engineer shows that it is structurally sound. He had three hay bales stacked in the middle of the barn, and he only wants two. He just wants to see two hay bales stacked in each of the corners. He doesn't think there will be any issues structurally, but it will be a little bit of money. That's why they want to do a tent in the interim. He doesn't want to limit it to 106 because that's a small wedding. He suggested if there was more than 106 people, the barn is off limits and everything is in the tent. Mr. Smelser asked if his plan was to leave the tent up permanently or seasonally. Mr. Whitlock said the plan is to leave it up seven to eight months of the year, during wedding season. Mr. Smelser stated this would be a fairly expensive tent, then, and Mr. Whitlock agreed. It will have walls on it, climate control, and everything else. There was more discussion about the tent. Ms. Grech mentioned that we have never granted an SUP for something that was just a tent. Mr. Whitlock stated he has been to many weddings that just had tents. Mr. Turner noted that there is a venue in Harrisonburg that uses a tent, and we might want to check with them. Mr. Smelser noted that this was Sunnyside. There was more discussion, and Ms. Grech asked for more information on what Mr. Whitlock means by "tent." Mr. Smelser added that this means drawings, pictures, specification on what he intends to purchase.

Chairman Burner asked if he has a plan for overflow parking. Mr. Whitlock stated not currently. There is more space, but they are trying not to take away from the scenery. But we have to evaluate how many cars we can get in the parking lot to the south. There was more discussion about the limitation of this parking. Ms. Grech stated 200 people would require a lot of cars. There was more discussion about what the site plan should show, and Mr. Whitlock agreed to work on this. Mr. Turner had to leave at this point.

C. Jeremy Baldwin- Special Use Permit

Ms. Clatterbuck stated Jeremy Baldwin has filed a special use permit (SUP) application to expand the current campground operation located at 741 Carvell Road in Rileyville. There are two different parcels. One [4-(A)-21] contains 130.05 acres and the other [4-(A)-21A] contains 37.09 acres. Both parcels are currently zoned as Woodland-Conservation (W-C). A portion of tax map number 4-(A)-21 is located in the floodplain. Mr. Hahn provided floodplain maps. Pursuant to § 125-D.(6) of the Page County Zoning Ordinance, campgrounds are only permitted by special use permit in the W-C zoning district. Campgrounds are subject to the Page County Zoning Ordinance (Chapter 125) and the Page County Campground Ordinance (Chapter 128).

The applicant was granted a special use permit on March 4, 2014 to operate a campground consisting of 45 primitive camping sites. A copy of the approved site plan and special use permit that was granted is included in the packet for reference.

The applicant is requesting an expansion of the campground which will include a total of 125 primitive camping sites (45 existing primitive camping sites and 80 new primitive camping sites) and eight new cabin sites. She referenced the proposed expansion site plan dated March 17, 2023, including the size of campsites.

Per the Health Department requirements, the applicant will be required to construct approximately three restroom facilities throughout the campground. Other than the restroom buildings and the proposed cabins, the applicant does not have any plans to construct any other buildings. There is an existing campground office already on the property. Parking for the campsites will be at the individual campsites. Fire rings are provided with each campsite and will comply with Section 128-5.E of the Page County Campground Ordinance. There will be no use of off-road vehicles unless it is used by the operator of the campground. No fireworks or firearms will be permitted in the campground. The applicant will maintain the existing 50-foot greenbelts along parcel edges, except where applicant owns both parcels.

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

Ms. Clatterbuck stated the applicant reached out to VDOT, who approved the existing entrance. Jennifer Jurell at the Health Department indicated: “No objection to expansion proposal pending approved campground operation permit plan review, approved sewage disposal and Office of Drinking Water (ODW) permit.” Ms. Clatterbuck added that she was notified on Thursday that he has already complied with ODW permit, which is included in the packet. He has hired an onsite soil evaluator, Gerald Dovel, to perform the soil testing. Mr. Dovel planned to come tonight, but could not come. She spoke with him today and he supported the documentation sent by Ms. Jurell. The Building Official also had no objection, assuming applicable permits are pulled for the work to be done.

Ms. Clatterbuck stated that for fiscal impact, while he already has a business license, but an expansion will result in additional tax revenue for the County.

Staff requests that the Planning Commission review the application/materials presented, so that we can give the applicant adequate notice of any other information the Planning Commission would like to see as part of this SUP application. A copy of draft conditions was provided in the packet. She included the SUP from 2014. Some of those changed, and some didn't. She noted that the applicant is present if the Planning Commission has any questions.

Mr. Hahn discussed the Page County Comprehensive Plan. He noted that there is a sentence he thinks he accidentally removed regarding Prime Farmland in the first paragraph, which he will fix in later versions of this staff memo. Prime farmland is addressed at the end of the section, though. He noted that the campground is in the Environmental Preservation Tier. He stated this is an existing campground, and [reading from the concluding paragraph]: "this expansion of a current use may encourage economic growth that is compatible with the County's rural character. Previous planning staff cited Policy 6.10 in particular when recommending conditions to the current campground SUP. The Planning Commission should be mindful of its location within the Environmental Preservation Tier and Prime Farmland, proximity to the Shenandoah River and George Washington National Forest, and location within FEMA's 100-year flood plain when considering new or potential modifications to existing SUP conditions."

Ms. Grech referenced language that states "low intensity residential or recreational uses may be acceptable in these areas." She asked Mr. Hahn if he considered the number of sites per acre suggested in the map to be low intensity. Mr. Hahn stated this was a good question but is subjective. Ms. Grech stated she has the same problem with this map as she had earlier. It isn't clear that it is to scale. Mr. Hahn indicated he had created this map some time ago, and the measurements are to scale. The cabin sites are approximate because they vary in dimensions. He noted that they are to-scale based on the measurements that Mr. Baldwin provided. Ms. Grech stated it is not clear to her which of the campsites are new. She asked if the new campsites were smaller. Mr. Baldwin said they are a little bit smaller, but still larger than what is required. Had he known camping was going to be as popular as it has become, he would have made the original sites smaller.

Ms. Grech asked what he is doing with the rest of the farm. They referred to the map. He indicated that it is about 170 acres in total, and he uses most of it for agriculture, including cattle, making hay, and he has some poultry houses. They discussed the distance between the C-1 cabin and the poultry houses. Mr. Hahn measured it, and as mapped it is about 600 feet. Ms. Grech asked where the cabins would be located within their areas, and Mr. Baldwin stated they would be roughly in the center. Ms. Grech asked if they cabins would have bathrooms, and Mr. Baldwin said they would, inside the cabins. The drain field for that will be engineered by Gerald Dovel, as well. His recommendation for now is to put the drain field for those in the corner (he indicated where on the map, near campsite 80). Ms. Grech asked if the cabin sites are out of the floodplain, and Mr. Baldwin answered yes. Ms. Grech asked where the three bathrooms referenced on the first page will be located. Mr. Baldwin stated they can't be located more than 500 feet from the furthest campsite. The first bathroom would be located in the red area behind site number 8. Ms. Grech stated it would be nice to have this indicated on the site plan. Mr. Baldwin stated he is working on that with Racey Engineering. H stated another bathroom would be located in the green area next to site 1. The third one would be located in the red area behind site 63, in line with the second row of sites. All of

these will presumably be within 500 feet of the furthest site. However, the state of Virginia does allow you to supplement with portable bathrooms to make up the distance, because you can service up to 30 primitive campsites with portable bathrooms and still be in compliance. There was further discussion about the locations of these bathrooms. Ms. Grech asked how many portable bathrooms he thinks he will have. Mr. Baldwin stated by state code, 30 primitive sites can be served by four portable bathrooms. However, we do have more than that now. During COVID, customer loved having more than what was required. Ms. Grech asked how many he anticipates having. Mr. Baldwin stated he anticipates not having to have more than the four, unless he has customers wanting to rent their own.

Ms. Grech asked if in addition to the three bathrooms, he is not anticipating more than four portable bathrooms. Mr. Baldwin stated it would be more than three bathrooms – it would be 16 flushable toilets within those three bathrooms. There are also sinks. Since these will be located in the floodplain, they will be constructed on a movable trailer. If it were to flood, he can disconnect from the drain field, cap it off, and pull them out of the floodplain. These are pods, and they are flushable into drain fields. Ms. Grech asked if he was hopeful these will be sufficient and he won't need portable bathrooms. Mr. Baldwin answered yes, unless customer request them. Ms. Grech asked if 45 customers request porta-potties, he'll provide 45 porta-potties, and Mr. Baldwin affirmed. Ms. Grech asked if in the future everyone in the campground asked for porta-potties, would he provide one to everyone, and Mr. Baldwin affirmed.

Chairman Burner recommended we hold off scheduling the public hearing until we work on the conditions at the next meeting. Ms. Grech asked when Mr. Baldwin would have the plans for the bathrooms from Racey Engineering. Mr. Baldwin stated he was hoping soon. Ms. Grech asked if the trailer bathrooms are a like a group of porta-potties joined together on a trailer. Mr. Baldwin stated they are more than a porta-potty, they are a pod. He stated he will try to have pictures for them for next time.

D. Discussion of Banquet/Event Facilities

Chairman Burner reminded everyone that a few meetings prior in his chairman's report he had talked about establishing a banquet/facilities ordinance. That is why this is on the agenda. This is a preliminary discussion. It probably won't get to subcommittee because we already have two subcommittees. Mr. Hahn recommended that we speak with Economic Development and Tourism. He knows Ms. Grech has been working on this. Staff has been working on certain components of this. He would just like feedback on what major things the Planning Commission would like to see as part of the ordinance. Mr. Chairman stated he would like to see an acreage size requirement, parking size requirement based on venue occupancy, location of venue and the number of occupants as it related to whether it is a VDOT-maintained road. The complaints we seem to get are increased amount of traffic and noise, so an increased acreage size and watching which roads they can be located on should alleviate that.

Mr. Hahn stated one of the recommendations we did receive when talking to Economic Development and Tourism is that we may be able to vary some of these rules by the type of venue. Ms. Grech didn't think the type of venue was relevant. There is still a problem of noise and traffic. There was further discussion about this, and Ms. Clatterbuck clarified an

example is local use and more tourism use. Ms. Grech stated this was a can of worms. Chairman Burner stated it is possible to have different standards for different types of venues. However, we shouldn't try to find a rule for each type of venue, because we'll be here two years from now. Some of these you just have to leave in the conditions of the SUP. Ms. Clatterbuck read the definition of a banquet facility: "An establishment which is rented by individuals or groups to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, and other such similar celebrations." She also read the definition of event facility: "A building, which may include on-site kitchen/catering facilities, where indoor and outdoor activities such as weddings, receptions, banquets, and other such gatherings are held by appointment." Ms. Grech stated this makes more sense than a difference between tourism and local use. Chairman Burner states that we should address both, and it should also refer to Chapter 55. Ms. Clatterbuck stated it already does in the supplemental regs. But these are separate ordinances enforced by separate departments. Chairman Burner stated we should probably coordinate with the Board and with legal so that they have the opportunity to change Chapter 55 at the same time. Ms. Grech stated if someone keeps applying for Chapter 55 permits weekend after weekend, that's a way to bypass the event facilities ordinance. So, these chapters overlap, whether we like it or not. There was more discussion on how enforcement of Chapter 55 has changed over the years. Chairman Burner recommended that when we send this to the Board, it should just include a note that Chapter 55 should be reviewed at the same time. Mr. Hahn stated this another reason why it would be good to have Economic Development here early in the process, and Chairman Burner agreed.

Ms. Grech referenced a document about Event Facilities that staff has been working on. Ms. Clatterbuck stated this is something that staff was working on, and not everyone has seen that. Chairman Burner asked staff to provide that for the next meeting and we will work on that for the next meeting. Ms. Grech agreed, and staff stated they would provide the document. Ms. Grech added that in addition to the items Chairman Burner had mentioned earlier, she would like to see language on setbacks, fencing, buffer zones, and type of structure.

E. Zoning and Subdivision Subcommittee Report

Ms. Grech stated we finished chapters 1 and 2 and have started chapter 3. There are a couple sensitive issues, including site plans. The standards are way beefed up. We're also looking at the requirement of the 180 days for the Planning Commission to review an SUP and how that is different from a zoning change or ordinance change. Mr. Hahn added that we are making really good progress, and Ms. Grech agreed. Staff needs to get back to the committee on some things for chapters 1 and 2. Mr. Hahn added that we have a subcommittee meeting at 4 PM next Tuesday.

F. Subdivision Subcommittee Report

Mr. Smelser stated we met on August 20th. It was a general, open conversation and a plan on how we want to move forward on Article IX. Staff is going to pull up some adjacent counties and examine cluster subdivisions and how those work. We had one member of the public show up and offer input, and we're always open to hear from more. Mr. Hahn noted that the next meeting will be next Wednesday at 6 PM.

Unfinished Business

A. Review of Campground Ordinance Draft

Mr. Hahn noted that the new version dated September 5, with margin comments added back. We had a lot of good comments over the last couple minutes. He yielded to Ms. Grech to work through the comments. Ms. Grech stated she was very grateful for the comments of the public. As diligent as we were in subcommittee, there were a few items that needed more scrutiny. The following changes were discussed:

- On Page 1, add “and the Shenandoah River” after “use of land.”
- On Page 2, add a definition regarding full cut-off light fixture. This was another recommendation from the public, requiring a wide beam to be much narrower.
- On Page 3, make the change to “greenbelt” recommended by the county attorney, which we already discussed.
- On Page 5, there was a note regarding adding language to the solar ordinance to the ‘Permit Approval’ to be more specific on what substantial compliance means with regards to the location of structure or change. The feedback from the public was that the execution needed to be more closely-aligned with the site plan, itself. Ms. Grech noted that two members of the Planning Commission are absent, so we may want to wait to discuss this item. She also discussed the Berkley Group’s version of site plan rules has far less wiggle room. It was agreed to discuss this at a later meeting.
- On Page 6, there was a note to add a maximum acreage or number of campsites for campgrounds. Ms. Grech noted that this was discussed in subcommittee, and we reached the unhappy conclusion that we didn’t know what number to come up with and how do we justify that number. Chairman Burner stated there was no reason to put a maximum number in there, because we will run into the same issue that we ran into with solar. If someone has a 500-acre tract and only wants to put a couple campsites on it, they may not be eligible. We should let some of this sort itself out. Ms. Grech agreed. She asked if a maximum number of campsites would be appropriate. Chairman Burner stated he thinks is controlled enough by the open space concept and the number of campsites per developed acre. Ms. Grech stated this is what we tried to do, and she wanted to have this conversation to honor the concerns of the public. Mr. Smelser echoed Chairman Burner’s opinions on this. Mr. Hahn stated we had a lot of comments on this, and one of the compelling points we heard was that when the number reaches a certain point, we need a waste water treatment plant, and the Comprehensive Plan speaks to that with regards to the Environmental Preservation Tier. Ms. Grech stated this was a great conversation to have, but perhaps not in regards to campgrounds. She noted that Clarke County is considering, or maybe already has, put in place rules that subdivisions that required individual septic would no longer be allowed. They would need to be in the growth tiers and have access to sewage. She noted we always seem to treat W-C the same as A-1, but should we? We should discuss this when we look at the use matrix. Ms. Clatterbuck stated the uses by right and by SUP are almost exactly the same in the current ordinance. Ms. Grech stated this is something we should remember to discuss later. Mr. Hahn added that from the perspective of the Comprehensive Plan, there is a more significant difference between Environmental Preservation and Agricultural Protection than Woodland Conservation and Ag. Ms. Grech agreed. Chairman Burner stated a campground in W-C you aren’t going to clearcut it, because that is part of the scenic beauty. Ms. Grech stated we may want to consider language that an applicant can’t cut down all the trees in a campground if it is zoned W-C. Chairman Burner stated if we limit campgrounds in W-C, then it makes it a bigger target on prime

farmland. He would prefer them in W-C. He would rather it be in W-C. Ms. Grech stated these were great comments, and we are listening.

- On Page 6, there was a note to discuss lowering the number of developed acres further from 15. Chairman Burner asked if we start making too many changes to what we advertised at public hearing, will we need to have another public hearing. Ms. Clatterbuck stated no. Ms. Grech said we stopped at 15 because to lower it to 10 would be to lower it by 50 percent, which the subcommittee thought was too much. Mr. Hahn added that the models used 15 parcels per developed acre as a guide.
- On Page 6, we added “full cut-off light fixtures” to “Lighting” section, as well as language from the Berkley Group’s proposed ordinance, which if adopted would apply more broadly. Chairman Burner stated he understood the purpose of this to limit glare outside, but from an emergency standpoint, would we be creating a safety hazard. Ms. Grech stated this is a good question, and she asked Mr. Hahn to send this question to Emergency Services. There was further discussion about using “dark sky compliant” or just using “full cut-off light fixtures,” and consensus was the latter.
- On Page 7, more language was proposed by Chris Anderson via Ms. Grech, tying Department of Forestry guidelines. Chairman Burner asked what if the riverfront is nothing but sand. There was discussion on this. Ms. Anderson was invited up front to speak. She stated the Conservation Reserve Enhancement Program (CREP) is a voluntary cost-share program for landowners to install a minimum of a 35-foot riparian buffer, up to 100 feet. Landowners can do more than that. The Department of Forestry recommends native tree and shrub species that will fit each scenario based on soil profiles. So, riparian buffers are they hydrophilic trees that can handle flooding. It would be site-specific to a certain degree, including in on cliffs and in floodplains. There was more discussion, and consensus was to accept the language but change “is required” to “is recommended.”
- On Page 8, there was a note to add “by type (primitive/developed)” after maximum number of campsites. Mr. Smelser asked how we would determine these types. Ms. Grech stated this would just be dependent on the specifics of the SUP and the desires of the applicant. She referenced Mr. Baldwin’s application as an example. There was more discussion. Mr. Smelser paraphrased the intent of this addition, stating that we just want what is built to be in congruence with the site plan.
- Ms. Grech stated she had two more recommendations that were not included in the draft in the packet. On Page 7, number 7, she thinks we should add “roadways,” after “adjacent to.” On number 8, she thinks we should add “neighborhood and” before “nearby residences.” Chairman Burner asked if this was external roadways and not internal roadways. Ms. Grech said this was a good question. There was further discussion, and Mr. Hahn recommended “state-maintained road.”

Ms. Grech recommended we not take a vote on this with two members absent. Chairman Burner agreed.

B. Zoning Ordinance Amendment- Quarries

Mr. Hahn stated we still do not have a new draft, but staff is closer to working on one. The reason we don’t have a new draft is that he, Ms. Grech, and Mr. Smelser had just the previous day taken a trip to Thorndale, which is Frazier Quarry north of Timberville. He yielded to the Commissioners to discuss their experiences at the quarry. He projected a map of the quarry with certain locations where they had paused. Mr. Smelser stated this was a smaller, newer quarry. It was nice to see be able to see the dust that it could produce and the noise that it could produce. He compared it to a construction site, with backup alarms and diesel engines.

The dust was not as bad as he thought it would be. He has seen more dust blown out of a chicken house. Ms. Grech stated, regarding dust, the operator had said it had rained and the aggregate was wet, so there was probably less dust than normal. She referenced that there was a gate and a long, private road. You couldn't see the quarry from Rt. 42. Mr. Hahn added that it was about 1,200 feet in length. Ms. Grech stated it was a very clean operation, very impressive. The whole area at the top of the map is the pit, with cliffs about 60 feet to 75 feet, they guessed. Ms. Grech described how some of the aggregate processes worked, using the map labels. She stated it was not quite as noisy as she expected, but we weren't that close, either. She stated Mr. Frazier had indicated the crushing machine was a quieter type of machine. It was very clean, tidy, well-organized. We were invited to experience what was called a "shot" at one of their other quarries, and Mr. Hahn is going to set that up. Mr. Hahn indicated on the map where they had been positioned during some drilling for a shot, which was approximately 600 feet away. Ms. Grech stated the drilling noise was not bad, but it was 600 feet, and we were up on top of the cliff. Ms. Grech discussed the very tall berms, which Mr. Frazier had stated were 20 to 30 feet high. She learned that berms are one of the only effective ways to contain noise. They use unused fill material for the berm. Ms. Grech added that Mr. Frazier indicated that he has no plans to expand their operations to Page County.

Chairman Burner asked if staff needed time to work on the next draft. Mr. Hahn stated staff also needed direction. He has notes from several meetings but could use some general feedback on what items he should add. He referenced a document that he included along with the packets that listed items that had been discussed at previous meetings. Ms. Grech stated she has some things also to add, but it getting late and there are two members absent. She asked if we could discuss further at the next meeting. Chairman Burner agreed.

Open Citizen Comment Period

1. Ken Jamielity: Regarding the campground ordinance: the roadways and access roads seem to be the same regardless of the type of campground. If you have someone who wants to put up a ten-site, primitive campground, he doesn't think they should be held to the same RV-standard roadways that are in the current ordinance. For a primitive site, why would you need a 60-foot turnaround at the end of every dead-end road, or a 25-foot-wide roadway for a car or pickup truck camping. You won't have a 40-foot RV towing a 20-foot pickup truck. This just provides them with a lot of gravel to look at on their primitive camping adventure instead of the trees and woods.

Chairman's Report

Chairman Burner indicated he did not have a report.

Ms. Grech stated she knew it was not customary to respond to public comment, but she asked if she could make a response, and Chairman Burner indicated yes. Ms. Grech stated the standards for roadways were not dictated by the size of RVs. They were in response to concerns of the Emergency Department on the width of the fire trucks. It had nothing to do with RVs.

Clerk's Report

Ms. Hahn noted that the bylaws required staff to periodically publish a request for citizen volunteers to serve on committees. He noted that he will draft something to publish for this.

Adjourn

Mr. Smelser made a motion to adjourn. The motion was seconded by Ms. Grech. The motion passed unanimously. The meeting was adjourned at 8:53 p.m.



Jared Burner, Chairman

