

***Campbell County Planning Commission
Minutes
June 24, 2019***

The regular meeting of the Campbell County Planning Commission was held on Monday, June 24, 2019 in the Board of Supervisors Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The following members were present:

Dean P. Cumbo, Chairman
Michael S. Condrey
K. William Kirk
O. Richard Metz
Dean B. Monroe
James A. Borland, Board of Supervisors Representative

Members Absent:

Patrick Tweedy
Thomas H. Vaughan

Staff Members present:

Paul E. Harvey, Community Development Director
Austin R. Mitchell, Zoning and Subdivision Administrator
Theresa P. Phillips, Staff Secretary

// Chairman Cumbo called the meeting to order with the Pledge of Allegiance followed by the invocation by Dr. Borland at 7:00 p.m.

// Chairman Cumbo asked for corrections or comments on the minutes from the May 28, 2019 meetings. With none, Commissioner Metz made the motion to approve the minutes from the May 28, 2019 meeting. Commissioner Kirk seconded the motion.

The vote was: Aye: Cumbo, Condrey, Kirk, Metz, and Monroe
Nay: None
Absent: Tweedy, Vaughan

// **PUBLIC HEARINGS FOR CONSIDERATION**

// **PL-19-XX (Semi-Annual Updates to the Campbell County Code; Chapter21-Subdivision Ordinance and Chapter 22-Zoning Ordinance)**

// Mr. Austin Mitchell, Zoning and Subdivision Administrator, stated the Staff Attorney was directed by the Board of Supervisors to advertise a public hearing for the Planning Commission to be held on June 24th to consider changes to the Zoning and Subdivision ordinances of the County. These changes include the mandatory and routine updates identified by staff, and also those changes suggested by Supervisor Watts. The Commission previously discussed the changes at their May 28 meeting, and they remain the same with one exception; the proposal to allow up to 10 lots on a private road has been withdrawn and was not advertised for hearing. The Board of Supervisors will hold their public hearing on July 16th and would like the Commission's recommendations by that time.

// Chairman Cumbo opened the public hearing at 7:05 with no one coming forward to speak; Chairman Cumbo closed the public hearing at 7:06.

// **Chapter 21 – Subdivision of Land**

// **§21-12** [When streets required to be dedicated but not constructed.] Would change language to allow subdivision of lots into two-acre parcels instead of three-acre parcels.

// Commissioner Metz stated he felt this change would create more problems than actually being helpful to citizens.

// Commissioner Kirk stated the previous requirements had been lowered from 5 acres to 3 acres and indicated land owners could request property be rezoned out of agricultural land and felt lowering the minimum acreage requirements would not be beneficial to the county.

// Commissioner Condrey stated he was more concerned about road frontage than the lot requirement size.

// Chairman Cumbo made the motion to recommend approving §21-12 [When streets required to be dedicated but not constructed.] Would change language to allow subdivision of lots into two-acre parcels instead of three-acre parcels. Commissioner Monroe seconded the motion.

// The vote was: Aye: Monroe
Nay: Cumbo, Condrey, Kirk, Metz, Monroe
Absent: Tweedy, Vaughan

// The Commissioners stated the major objection to this proposed change was the Comprehensive Plan includes an objective to preserve agricultural and forested lands in rural areas. It also includes an objective to use the zoning and subdivision ordinances to support the goals and objectives of the plan. Allowing smaller minimum lot sizes in A-1 would tend to increase density in rural areas over time and could be seen as inconsistent with the objectives of the Plan.

// **§21.17.2** [Requirements regarding suitability for private sewage disposal system and/or private water source.] Clarifies that plats shall indicate the intended source of water and sewer service and the subdivider assumes responsibility for ensuring the proposed lot is suitable for the intended source for lots of 20 acres or more.

// Commissioner Cumbo made the motion to recommend approving §21.17.2 Clarifies that plats shall indicate the intended source of water and sewer service and the subdivider assumes responsibility for ensuring the proposed lot is suitable for the intended source for lots of 20 acres or more.

The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe
Nay: None
Absent: Tweedy, Vaughan

// **§21-22** [Non-family minor subdivisions.] This change would allow the separation of a parcel of land greater than five (5) acres into two (2) parcels of land if each new parcel will contain an existing and habitable residence and if no new streets are required to be established pursuant to the code.

// Commissioner Cumbo made the motion to recommend approval of §21-22 this change would allow the separation of a parcel of land greater than five (5) acres into two (2) parcels of land if each new parcel will contain an existing and habitable residence and if no new streets are required to be established pursuant to the code. Commissioner Monroe seconded the motion.

// The vote was: Aye: None
Nay: Cumbo, Condrey, Kirk, Metz, Monroe
Absent: Tweedy, Vaughan

// **§21-23.1** [Creation of parcels without road frontage.] This recommend change would allow the creation of lots of greater than twenty (20) acres in the Agricultural Zoning District (A-1) that do not have frontage on any state-maintained road if such new parcel is served by a sufficient easement that creates ingress and egress to a state-maintained or other dedicated right-of-way.

// Commissioner Cumbo made the motion to recommend approval of §21-23.1-This recommend change would allow the creation of lots of greater than twenty (20) acres in

the Agricultural Zoning District (A-1) that do not have frontage on any state-maintained road if such new parcel is served by a sufficient easement that creates ingress and egress to a state-maintained or other dedicated right-of-way

// The vote was: Aye: None
Nay: Cumbo, Condrey, Kirk, Metz, Monroe
Absent: Tweedy, Vaughan

// The Commissioners stated this recommended change would allow for more subdivision of land than current ordinances allow, thus increasing density in areas that are planned to remain low density.

// **Chapter 22 – Zoning**

// **§22-16** [Agricultural zoning district A-1.] Adds “bulk storage and sale of mulch, gravel, rock, sand, soil, and other similar landscaping materials” as a special use;

Would change minimum lot size from three (3) acres to two (2) and decrease minimum lot width from 200 feet to 100 feet.

// Commissioner Cumbo made the motion recommending approval of §22-16 [Agricultural zoning district A-1.] Adds “bulk storage and sale of mulch, gravel, rock, sand, soil, and other similar landscaping materials” as a special use. Commissioner Monroe seconded the motion.

// The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe
Nay: None
Absent: Tweedy, Vaughan

// Commissioner Cumbo made the motion recommending approval of §22-16 changing the minimum lot size from three (3) acres to two (2) and decrease minimum lot width from 200 feet to 100 feet.

// The vote was: Aye: None
Nay: Cumbo, Condrey, Kirk, Metz, Monroe
Absent: Tweedy, Vaughan

// The Commissioners stated the Comprehensive Plan includes an objective to preserve agricultural and forested lands in rural areas. It also includes an objective to use the zoning and subdivision ordinances to support the goals and objectives of the plan.

Allowing smaller minimum lot sizes in A-1 would tend to increase density in rural areas over time and could be seen as inconsistent with the objectives of the Plan.

// **§22-16.4** [Transportation Corridor Overlay District (TCO).] Shortens the length of the TCO by moving the southern boundary from Gladys Road at Hwy 29 to Calohan Road at Hwy 29.

// Commissioner Metz invited Mr. George B. Phillips to speak.

// Mr. George B. Phillips (Brad), 10364 Wards Road, Rustburg, stated he was in favor of having the Transportation Corridor Overlay removed on the South side of Route 29 (Wards Road) from Calohan Road to Gladys Road. Mr. Phillips stated this overlay prohibited growth along Route 29 by adding additional setbacks above and beyond the County Ordinance and it increased the amount of required road frontage. Mr. Phillips stated there are sewer lines in place along the corridor.

// Commissioner Metz stated Mr. Phillips had been in business for approximately 50 years and employed approximately 25.

// Commissioner Kirk stated he was fully in support of business expansion in Campbell County and on Route 29.

// Mr. Paul Harvey, Director of Community Development, clarified that removing the 50' would impact properties zoned Business and Residential but not necessarily Industrial. Mr. Harvey also stated there would be no by-pass for this area for another 20-25 years and the 4 lanes existing on Route 29 would not be changed in the near future.

// Chairman Cumbo made the motion to recommend approving the removal of §22-16.4[Transportation Corridor Overlay District (TCO).] Shortens the length of the TCO by moving the southern boundary from Gladys Road at Hwy 29 to Calohan Road at Hwy 29. Commissioner Metz seconded the motion.

// The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe
Nay: None
Absent: Tweedy, Vaughan

// **§22-28** [Appeals to Board.] Allows the Zoning Administrator to use certified mail as well as registered to send his written order to the last known address or usual place of abode of the property owner or its registered agent, if any; mandatory; pursuant to change in statute by General Assembly, effective July 1, 2019

§22-32 [Application procedures.] Rewrote requirements for site plans for solar energy facilities to require owner to submit a written decommissioning plan allowing the County to enter property if the owner fails to decommission and requiring

financial guarantees based on estimates of an experienced professional engineer; **mandatory**; pursuant to change in statute by General Assembly, effective July 1, 2019.

§22-37 [Requests for change in zoning.] Requires Board of Supervisors to hold at least one public hearing on a proposed reduction below 100 days of the Planning Commission's review period and notify public; **mandatory**; pursuant to change in statute by General Assembly, effective July 1, 2019.

// Chairman Cumbo made the motion to recommend approving §22-28[Appeal to Board], §22-32[Application procedures] and §22-37[Request for change in zoning] mandated pursuant to change in statute by General Assembly, effective July 1, 2019. Commissioner Kirk seconded the motion.

// The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe
Nay: None
Absent: Tweedy, Vaughan

// **SUBDIVISION MATTERS FOR CONSIDERATION**

// **Blue Ridge Commons**

Proposed is an 84-lot subdivision on Leesville Road, to be known as Blue Ridge Commons, Section 1 in the Sunburst Election District. The parcels are zoned Residential – Multi Family and are owned by Romero Properties LLC.

// Chairman Cumbo made the motion to recommend approving an 84-lot subdivision located on Leesville to be known as Blue Ridge Commons, Section 1. Commissioner Metz seconded the motion.

// The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe
Nay: None
Absent: Tweedy, Vaughan

// **Wileman Road**

Proposed is a single-lot division on Wileman Road. The property is owned by Charles and Amanda Craddock and is in the Altavista Election District. This plat has been submitted to the Planning Commission because it would create two flag lots due to the shape of the existing parcel.

// Chairman Cumbo made the motion to recommend approving is a single-lot division on Wileman Road owned by Charles and Amanda Craddock. Commissioner Kirk seconded the motion.

// The vote was: Aye: Cumbo, Condrey, Kirk, Metz, Monroe
Nay: None
Absent: Tweedy, Vaughan

// **MATTERS FROM THE COMMUNITY DEVELOPMENT DIRECTOR**

None

// **MATTERS FROM THE ZONING AND SUBDIVISION ADMINSTRATOR**

// Mr. Austin Mitchell, Zoning and Subdivision Administrator, stated he had distributed the corresponding chapters of the Comprehensive Plan to the responsible departments for review. The Population and Demographic and Housing chapters are also being updated with current information but a more complete update will occur after the 2020 Census. The Plan will come to the Planning Commission for review and approval in the fall.

// Mr. Mitchell had included in the meeting packet the Annual Report for FY19.

// **MATTERS FROM THE PLANNING COMMISSION**

// Commissioner Condrey stated there would be an open meeting at the Gladys Ruritan Club on Wednesday, June 26, at 5:30pm pertaining to a solar farm.

Next scheduled meeting is July 22, 2019

// Commissioner Kirk made the motion to adjourn the meeting at 7:48.

Dean P. Cumbo, Chairman

K. William Kirk, Secretary