

FLUVANNA COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES

Circuit Court Room--Fluvanna County Courts

January 28th, 2015

7:00 p.m.

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice-Chairman
Donald Gaines
Lewis Johnson
Patricia Eager
Tony O'Brien Board of Supervisors Rep

ALSO PRESENT: Jason Stewart, Planning and Zoning Administrator
Steven Tugwell, Senior Planner
Jay Lindsey, Planner
Deidre Creasy, Senior Program Support Assistant
Will Tanner, Deputy County Attorney

ABSENT: Frederick Payne, Fluvanna County Attorney

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Planning and Zoning Administrator, Jason Stewart called the meeting to order at 7:00p.m., after which the Pledge of Allegiance was recited.

2015 Organizational Meeting of the Fluvanna County Planning Commission

• **Election of Chairman**

Mrs. Eager moved to elect Barry Bibb as Chairman of the Fluvanna County Planning Commission for the calendar year of 2015. Mr. Zimmer seconded the motion and the vote carried with a vote of 3-0-1. Mr. Barry Bibb abstained

• **Election of Vice Chairman**

Mrs. Eager moved to elect Ed Zimmer as Vice Chairman of the Fluvanna County Planning Commission for the calendar year of 2015. Mr. Lewis Johnson seconded the motion and the vote carried with a vote of 3-0-1. Mr. Zimmer Abstained.

• **Selection of Dates for the Commission Meetings**

Mr. Bibb moved to accept the selected dates of the Fluvanna County Planning Commission meetings for the calendar year of 2015 with the November meeting being changed to November 16 2015. There was no second but the motion carried with a vote of 4-0-0.

Mr. Donald Gaines entered the meeting at this point and participated in voting thereafter

• **Resolution entitled "Organizational Meeting of the Fluvanna County Planning Commission 2015"**

On a motion by Mrs. Eager, seconded by Mr. Zimmer, and carried by a vote of 5-0-0
The "Organizational Meeting of the Fluvanna County Planning Commission 2015" resolution was adopted.

• **Adoption of the Planning Commission By-Laws and Rules of Procedure**

Mr. Zimmer moved to adopt the Fluvanna County Planning Commission By-Laws and Rules of Procedure for 2015 as is. Mrs. Eager seconded the motion and the vote carried with a vote of 5-0-0.

PLANNING DIRECTOR'S REPORT (Mr. Stewart)

1. Board of Supervisors Actions:

➤ **January 7, 2015: None.**

➤ **January 21, 2015:**

2. Board of Zoning Appeals Actions: Upcoming Board Meeting **February 10, 2015 at 7:30 p.m.**

BZA 14:02 – JWS Enterprises LLC: An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and 22-4-2.1, 22-4-2.2 and 22-22-1 at the property located at Tax Map parcels 3 (A) 31 & 32. The affected property is located in the Palmyra Election District northeast of Union Mills Road on Route 616. The subject property is zoned A-1, Agricultural, General.

BZA 14:03 – JWS Enterprises LLC: An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-1-7, that the appellant is in violation of Fluvanna County Code Sections 22-19-2 and Section 22-17-9 at the property located at Tax Map parcels 51A-A-22. The affected subject property is located in Fork Union Election District at 4985 James Madison Highway Fork Union, VA 23055. The subject property is zoned B-1, Business, General and is located in the Fork Union Community Planning Area.

3. Technical Review Committee:

➤ **January 15, 2015:**

ZMP 14:05 – Lake Monticello Volunteer Fire Dept. - An ordinance to amend the Fluvanna County Zoning Map with respect to 6.134 acres of Tax Map 18, Section A, Parcel 38F to rezone the same from A-1, Agricultural, General to R-4, Residential, Limited. The affected property is located on the west side of South Boston Road (Route 600), approximately 500 feet southwest of its intersection with Slice Road. The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.

ZMP 15:01 – Memory Lane Property, LLC - An ordinance to amend the Fluvanna County Zoning Map with respect to 6.9 acres of Tax Map 4, Section A, Parcel 97A to rezone the same from I-1, Industrial, Limited, and I-2, Industrial, General, to I-2, Industrial, General. The affected property is located on the south side of Richmond Road (Route 250), approximately ¼ mile from Route 250 at the end of Memory Lane. The property is located in the Palmyra Election District and is within the Zion Crossroads Community Planning Area.

PUBLIC COMMENTS #1

Chairman Bibb opened the floor for the first section of public comments.

With no one wishing to speak, Chairman Bibb closed the first public comment section.

APPROVAL OF MINUTES

MOTION:

Mrs. Eager moved to approve the minutes of the December 22, 2014 Planning Commission meeting as presented, which **Mr. Johnson seconded**. The motion carried a vote of 5-0-0.

SITE DEVELOPMENT PLANS: None

SUBDIVISIONS: None

Public Hearings:

Chairman Bibb advised that since the applicant was present, the public hearings should be switched so that ZMP: 1404 was heard first and then ZTA 15:01 to follow.

ZMP 14:04 – Green Springs Timber, LLC - An ordinance to amend the Fluvanna County Zoning Map with respect to 24.19 acres of Tax Map 5, Section 11, Parcel L5A to rezone the same from A-1, Agricultural, General to I-2, Industrial, General. The affected property is located on the east side of James Madison Highway (Route 15), at the terminus of Cedar Bend Drive, approximately 700 feet southeast of the intersection of Richmond Road (Route 250) and James Madison Highway (Route 15). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

Senior Planner, Steve Tugwell presented the ZMP 14:04 Green Springs Timber, LLC

Mrs. Eager established that the applicant will be storing his product year around in the warehouse in which the applicant agreed.

Mr. Bibb questioned if the acreage of the Fluvanna Property was the full 24.19 acres listed for the tax map.

Steve Tugwell advised that the Fluvanna portion is 15.986 acres. Also that the Fluvanna Planning Department is unable to re-zone the Louisa portion of the acreage and that the applicant will be meeting with Louisa County in the next few weeks to discuss options.

Mrs. Eager asked if Steve knew what the Louisa side of the property was zoned?

Steve Tugwell advised her that he had just received information today from Louisa that the property was zoned C-2, mixed use; however he was unsure of the specifics because they are listed within Louisa's Comprehensive plan.

Mr. Bibb gave the applicant, Richard Dost a chance to speak.

Mr. Dost introduced himself and advised that he is a Co-Owner of CHIPS INC which is a wood product business. He also explained that he likes the location because it is near I-64 and he has possibly 70-75 employees most of which are Fluvanna County residents. Likewise, if the request is approved he may hire more employees.

Mrs. Eager established with Planner, Steve Tugwell that screening would be conducted because it was a concern of people in the neighborhood meeting as well as listed as required in the ordinance

Ed Zimmer asked what are the potential uses of I-2, Planner, Steve Tugwell gave an explanation and Jason Stewart read the ordinance

Mrs. Eager advised that the only difference in the I-1 and I-2 is that you are allowed to have a permanent saw mill.

Jason Stewart agreed and added heavy manufacturing needed a special use permit.

Mr. Dost advised that a 24 Thousand feet building is the biggest Fluvanna will allow him to build and he will get water from Louisa if they permit him too.

Tony Obrien advised what other additional uses will be added if any and will the building be enclosed?

Mr. Dost advised that the building would be used for storage and three sides would be enclosed and one side open

Tony Obrien asked a building code question and Jason Stewart advised him of such.

Mrs. Eager asked if two buildings can be put on the property and Jason Stewart advised if it meets the building requirements

PUBLIC COMMENTS #2

Chairman Bibb opened the floor for the second section of public comments.

With no one wishing to speak, Chairman Bibb closed the second public comment section.

Mr. Bibb advised that in his perspective it meets the requirements of what the county wants.

Tony Obrien asked the applicant if he has spoken to the commissioner of the revenue to see what would be the tax impact if any.

Mr. Dost advised that he has no problem paying the taxes in Fluvanna, but he is currently paying taxes in Louisa and is also looking for opportunity in Louisa as well.

MOTION:

Mrs. Eager moved to recommend approval of ZMP 14:04 –Green Springs Timber LLC, which **Mr. Zimmer seconded**. The motion carried **with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Gaines, and Zimmer NAYS: None. ABSTAIN: None**

ZTA 15:01 – Fluvanna County (Public Hearings - Zoning Ordinance) - Amendment of the Fluvanna County Zoning Ordinance Subsections 22-17-4, 22-20-2, and 22-20-3 (Chapter 22, Article 17-4: Special Use Permits; Chapter 22, Article 20-2: Planning Commission – Public Hearings; Chapter 22, Article 20-3: Governing Body – Public Hearing) to provide the posting of signs to give additional notice of certain proposed zoning actions.

Jay Lindsey Presented ZTA 15:01 Fluvanna County (Public Hearings- Zoning Ordinance)

Jason Stewart advised the Planning Commission that this is a process that has already been in use by the Planning Department, however there needs to be an ordinance in place so it can continue.

MOTION:

Mr. Gaines moved to recommend the approval of ZTA 15:01, which **Mr. Johnson seconded**. The motion carried **with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Gaines, and Zimmer NAYS: None.**

ABSTAIN: None

PRESENTATIONS: NONE

UNFINISHED BUSINESS:

- Updated versions of the goals were handed out by Jay Lindsey, in which Mr. Bibb explained they would be discussed in the next work session.

NEW BUSINESS:

- Discussion of potential changes to the Zoning Ordinance regarding Agri-business and Agricultural activities was postponed due to the absence of County Attorney, Fred Payne.
- Jay Lindsey led a discussion of potential changes to the Zoning Ordinance regarding Flood Protection and Floodplain regulations – to be written in cooperation with VA DEQ.
 - Tony Obrien wanted to know what areas of the county are subject to flooding. The areas established were Scottsville, Columbia and maybe parts of Palmyra.

PUBLIC COMMENTS #3

Chairman Bibb opened the third opportunity for Public Comments.

There being no one wishing to speak, Chairman Bibb closed the third round of Public Comments.

Jason Stewart advised that the next two February and March and regular planning commission meetings will be held in the Morris Room

ADJOURN

There being no further business, Mr. Bibb adjourned the Planning Commission meeting of January 28th, 2015 at 7:44 p.m.

Minutes recorded by Deidre Creasy, Senior Program Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission