

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Circuit Court Room--Fluvanna County Courts Building
June 13, 2017
7:00 p.m.**

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Lewis John
Tony O'Brien, Board of Supervisors Representative Arrived 7:04

ALSO PRESENT: Jason Stewart, Planning and Zoning Administrator
Brad Robinson, Senior Planner
James Newman, Planner
Fred Payne, County Attorney
Stephanie Keuther, Senior Program Support Assistant

ABSENT: Donald Gaines
Howard Lagomarsino

Open the Regular Session at 7pm (Mr. Barry Bibb, Chairman)
The Pledge of Allegiance followed by a Moment of Silence.

Director's Report: Mr. Stewart
Board of Supervisors Actions:

May 17, 2017

ZTA 17:03 – Fluvanna County Zoning Ordinance – Amendment of the Fluvanna County Zoning Ordinance Subsection 22-22-1 of Article 22 in order to update and strengthen definitions pertaining to junk and/or the storage thereof. The proposed amendment expands existing definitions for junk and junkyard and adds new definitions for outside storage and storage yard. **(Approved 5-0)**

June 7, 2017

None

Board of Zoning Appeals Actions:

None

Technical Review Committee for May 11, 2017:

- I. **SDP 17:04 Conmat Properties LLC** – A site development plan request to establish a medium manufacturing use: a concrete production facility and ancillary uses, with respect to a portion of 10.56 acres of Tax Parcel 4-A-109. The property is zoned I-2 Industrial General, and is located approximately 1,400 ft west of the intersection of Richmond Road (Route 250) and Blue Ridge Dr. (State Route 708). The property is located in the Palmyra Election District and is within the Zion Crossroads Community Planning Area.
- II. **SUP 17:01 CJPC LTD** – A special use permit to establish an educational facility use with respect to a portion of .74 acres of Tax Parcel 18-10-1. The property is zoned B-1 Business General, and is located approximately 260 ft east of the intersection of Rebecca Drive and Toby Way, off of South Boston Road (State Route 600). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.
- III. **SUP 17:02 R15 Fluvanna 11B LLC** – A request for a special use permit to establish a contractor's storage yard, with respect to 1.8 acres of Tax Map 5, Section 11, Parcel 5B. The property is located along James Madison Highway (U.S. Route 15) near the Louisa County line, approximately 0.06 miles south of the intersection of Richmond Road (U.S. Route 250). The parcel is zoned B-1 and is within the Zion Crossroads Community Planning Area and the Columbia Election District.

Technical Review Committee for June 8, 2017:

- I. **SDP 17:05 County Waste of VA** – A site development plan request to expand an existing parking area for vehicles and container storage with respect to 5.469 acres of Tax Map 5, Section 7, Parcel 9A. The property is zoned I-1, Industrial, Limited, and is located on the south side of U.S. Route 250 (Richmond Road) approximately 0.42 miles west of its intersection with U.S. Route 15 (James Madison Highway). The property is located within the Zion Crossroads Community Planning Area and is in the Columbia Election District.

- II. **SDP 17:06 Van der Linde Recycling** – A site development plan request to expand an existing recycling center’s mulching operation with respect to approximately 9.37 acres of Tax Map 5, Section 10, Parcel 6, and Tax Map 5, Section 23, Parcel A. The properties are both zoned I-1, Industrial, Limited, and are located on the south side of Richmond Road (US Route 250), approximately .8 miles from its intersection with James Madison Highway (US Route 15). The property is located within the Zion Crossroads Community Planning Area and is in the Columbia Election District.

Public Comments:

None

Approval of Minutes

Minutes of May 9, 2017

Motion:

Zimmer made a motion to approve the Minutes of the May 9, 2017 Planning Commission meeting as presented. Seconded by Johnson. The motion carried a vote of 3-0-0 AYE: Zimmer, Johnson, and Bibb NAY: None ABSTAIN: None ABSENT: Lagomarsino, Gaines

Public Hearing:

SUP 17:01 Education Transformation Centre - James Newman, Planner

A request for a special use permit to establish an educational facility use with respect to a portion of .74 acres of Tax Parcel 18-10-1. Parcel has B-1, Business General Zoning. Adjacent properties are zoned A-1, B-1, and R-Use will be located in a former school building.

Educational facility: A public or private institution for the teaching of children or adults including primary and secondary schools, colleges, and similar facilities.

- Approx. 13 staff, no more than 30 students.
- 6 week program aimed towards at-risk youth.
- Intensive curriculum and supervision of students.
- Educational Use to be located in a former school building.
- Appears to meet the requirements of zoning ordinance.

Conditions

- 1) Prior to further development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be submitted for review and approval;
- 2) Meeting all VDOT and Health Department requirements.
- 3) Hours of operation are to be limited to: 6am - 5pm. Custodial hours are from 6am - 8pm.
- 4) Any lighting will not be directed toward adjacent properties and will be limited in nature.
- 5) All screening shall be maintained in a condition acceptable to the County;
- 6) The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.

Zimmer: Did they not have a previous SUP?

Stewart: I don’t believe they had an existing SUP.

Applicant Dolores Carr: This is a very much needed school for Fluvanna County and surrounding areas. Many students are being exported out of Fluvanna for alternative education.

Bibb: I’m glad this building will be used again for an educational use.

Johnson: Has there been any neg. comments from the surrounding area?

Newman: No comments from public, positive or negative.

Public Hearing Comments:

None

Motion:

Zimmer made a motion to recommend approval of ZTA 17:01 Education Transformation Centre, Seconded by Johnson. The motion carried a vote of 3-0-0 AYE: Zimmer, Johnson, and Bibb NAY: None ABSTAIN: None ABSENT: Lagomarsino, Gaines

SUP 17:02 R15 Fluvanna 11B LLC – Brad Robinson, Senior Planner

Request for a special use permit to establish a contractor’s storage yard with respect to 1.8 acres of Tax Map 5, Section 11, Parcel 5B. The affected property is located along James Madison Highway (U.S. Route 15) near the Louisa County line, approximately 0.06 miles south of the intersection of Richmond Road (U.S. Route 250). The parcel is within the Zion Crossroads Community Planning Area and the Columbia Election District.

ZMP 01:04 was approved on June 20, 2001 with the following proffer:

“The following uses will not be placed on the property: theater, assembly hall, hotel, motel, library, hospital, service station, funeral home, garage, cold or frozen food storage plant.”

The Planning Commission should consider any potential adverse impacts, such as traffic entering and exiting the property, noise, dust, vibration, or visual clutter. The Planning Commission can recommend conditions to ensure the proposed use will not be detrimental to the character and development of the adjacent area. The applicant states that the property has

always been used as a construction yard; however it is staff's position that the property was originally approved for office use based on the rezoning of the property in 2001.

Recommended Conditions:

If approved, Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. Hours of operation for the site shall be from 6 am to 8 pm Monday-Friday.
4. Any lighting shall not be directed toward adjacent properties and comply with Article 25 of the Fluvanna County Code.
5. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.
6. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

Zimmer: I didn't see any mention of additional screening. Is it already there or not needed?

Robinson: There is some existing screening on the site.

Zimmer: Is the site already being used for this purpose?

Robinson: No, They're converting the use of the property from office to light industrial.

Zimmer: I noticed in the application it said this area has been used as a contractor storage yard for the past 15 years.

Stewart: Our interpretation is it has not per the definition of the ordinance

O'Brien: What is the expected amount of traffic volume?

Robinson: Per VDOT no upgrades are required to the existing entrance; traffic is expected to be the same.

Applicant Chris Good of Lynchburg Roofing: We intend to hire 25-30 new employees. We expect daily to have approximately 5 (five) people in the office and about 20 (twenty) to arrive in the mornings and then leave. Not a lot of materials are stored on site; most will be delivered to the job site.

O'Brien: How many people do you employ in the Lynchburg location?

Applicant: 32 Employees

Bibb: According to VDOT, it had an existing approved commercial entrance off route 15 that was briefly used by I&J Homebuilders as an office storage shed and a lay down area behind the building. The proposed use of the site will not require any upgrades to the entrance. Is there another entrance?

Applicant: I think so but we would only use the VDOT approved entrance.

Public Hearing Comments:

Roger Henry: 3807 Bear Tree Lane. I'm here to represent Mrs. Johnson who lives behind the property; I would just like a couple questions answered. The fencing is deteriorating. With the entrance, there's a trucking company using it now and is being all torn up. The sign is run over; and there are trees/logs that are being dump. Operating hours go sometime until midnight beating on the trucks and making loud noises. These things are not being taken care of.

Bibb: The proposed office hours are 8:30 to 5:00 and to work no later than 7p.m. if they get tied up. We will address the fencing and screening in the site plan.

Stewart: One of the conditions of the Special Use Permit is they have to comply with Zoning Ordinance requirements before permits would be issued.

Motion:

Johnson made a motion to recommend approval of SUP 17:02 R15 Fluvanna 11B LLC. Seconded by Zimmer. The motion carried a vote of 3-0-0 AYE: Johnson, Zimmer and Bibb NAY: None ABSTAIN: None ABSENT: Gaines, Lagomarsino

ZTA 17:01 Sign Ordinance - James Newman, Planner

Added definition for 'Special Advertising'

Sign, temporary sale, announcement or merchandising:

Any sign denoting a sale or special product, promotion, or announcing a grand opening, new management, or similar event or activity occurring on the premises. Only one such sign shall be permitted at a time per business. Such signs shall be treated as temporary signs, as defined herein and shall be of reasonable size and no larger than the largest permitted signs in the zoning district, unless otherwise specified in this Code. A permanently installed changeable letter panel shall not be considered a temporary sign.

-Listed under *Exempt Signs*

ZONING

Sec. 22-15-3. Signs permitted.

(1)Agricultural (A-1) – The following signs shall be permitted in the A-1, Agricultural, General zoning district:

Type of Sign	Number Allowed	Max. Sign Area	Max. Sign Height
Awning Sign	1 per establishment	6 sq. ft.	N/A
Business Sign	1 per parcel	24 32 sq. ft. (freestanding or monument)	6 10 feet

Entrance Sign	1 per entrance	12 sq ft	4 feet
Home Occupation Sign	1 per parcel	12 sq. ft.	4 feet
Projecting Sign	1 per establishment	9 sq. ft.	Roof line of the building
Subdivision Sign	1 per entrance	40 sq. ft.	6 feet
Temporary Subdivision Advertising Sign	1 per public road that property has frontage on	32 sq. ft.	8 feet
Wall Sign	1 per public road frontage	3 sq. ft. per 1 lineal foot of building/ tenant frontage*	Roof line of the building

*No more than 50% of the total sign area may be displayed on the front of the building. The remaining 50% may be distributed on the sides and rear of the building, with a maximum of 25% distribution per side and a maximum of 50% distribution on the rear of the building.

(2) Residential (R-1, R-2, R-4, MHP) – The following signs shall be permitted in the R-1, Residential, Limited; R-2, Residential, General; R-4, Residential, Limited; and MHP, Manufactured Home Park zoning districts:

Type of Sign	Number Allowed	Max. Sign Area	Max. Sign Height
Business Sign	1 per parcel	20 32 sq. ft. (freestanding or monument)	6 10 feet
Entrance Sign	1 per entrance	12 square feet	4 feet
Home Occupation Sign	1 per parcel	9 sq. ft.	4 feet
Subdivision Sign	1 per entrance	40 sq. ft.	6 feet
Temporary Subdivision Advertising Sign	1 per public road that property has frontage on	32 sq. ft.	8 feet

(3) Residential (R-3), Business (B-1, B-C), Planned Unit Development (PUD), and Industrial (I-1, I-2) – The following signs shall be permitted in the R-3, Residential, Planned Community; B-1, Business, General; B-C, Business, Convenience; PUD, Planned Unit Development; I-1, Industrial, Limited; and I-2, Industrial, General zoning districts:

Type of Sign	Number Allowed	Max. Sign Area	Max. Sign Height
Awning Sign	1 per establishment	6 sq. ft.	N/A
Business Sign (standalone businesses or not part of business/ industrial park)	1 per parcel	24 32 sq. ft. (freestanding) 28 40 sq. ft. (monument)	6 10 feet (freestanding) 8 12 feet (monument)
Business Sign (shopping centers or business/ industrial parks)	1 per shopping center or business park entrance	1.5 square feet of sign area for each lineal foot of building/tenant frontage – up to a maximum of 150 sq. ft. aggregate	10 feet (freestanding) 15 feet (monument)
Canopy Sign	1 per establishment	12 sq. ft.	N/A
Directory Sign	1 per establishment or development	16 sq. ft.	6 feet
Electronic Message Sign	1 per parcel	28 sq. ft.	8 feet
Entrance Sign	1 per entrance	12 sq ft	4 feet

Projecting Sign	1 per establishment	12 sq. ft.	Roof line of the building
Subdivision Sign	1 per entrance	40 sq. ft.	8 feet
Temporary Subdivision Advertising Sign	1 per public road that property has frontage on 1 per bli d	32 sq. ft.	8 feet
Wall Sign	1per public road frontage 1 per public road frontage	3 sq. ft. per 1 lineal foot of building/ tenant frontage*	Roof line of the building

*No more than 50% of the total sign area may be displayed on the front of the building. The remaining 50% may be distributed on the sides and rear of the building, with a maximum of 25% distribution per side and a maximum of 50% distribution on the rear of the building.

(Ord. 6-16-10)

(4) Zion Crossroads Urban Development Area. The following signs shall be permitted in the ZionCrossroads Urban Development Area, and supersede other sign dimensions listed in this ordinance:

Type of Sign	Number Allowed	Max. Sign Area	Max. Sign Height
Awning Sign	1 per establishment	6 sq. ft.	N/A
Business Sign (standalone businesses or not part of business/ industrial park)	1 per parcel or 1 per public road frontage	24 36 sq. ft. (freestanding) 28 40 sq. ft. (monument)	6 20 feet (freestanding) 8 25 feet (monument)

<i>Business Sign (shopping centers or business/ industrial parks)</i>	<i>1 per shopping center or business park entrance or 1 per public road frontage</i>	<i>1.5 2.5 square feet of sign area for each lineal foot of building/tenant frontage – up to a maximum of 150 200 sq. ft. aggregate</i>	<i>10 25 feet (freestanding) 15 30 feet (monument)</i>
<i>Canopy Sign</i>	<i>1 per establishment</i>	<i>12 sq. ft.</i>	<i>N/A</i>

<i>Directory Sign</i>	<i>1 per establishment or development</i>	<i>16 sq. ft.</i>	<i>6 feet</i>
<i>Electronic Message Sign</i>	<i>1 per parcel</i>	<i>28 40 sq. ft.</i>	<i>8 feet</i>
<i>Entrance Sign</i>	<i>1 per entrance</i>	<i>12 sq. ft.</i>	<i>4 feet</i>
<i>Projecting Sign</i>	<i>1 per establishment</i>	<i>12 sq. ft.</i>	<i>Roof line of the building</i>
<i>Subdivision Sign</i>	<i>1 per entrance</i>	<i>40 sq. ft.</i>	<i>8 feet</i>
<i>Temporary Subdivision Advertising Sign</i>	<i>1 per public road frontage</i>	<i>32 sq. ft.</i>	<i>8 feet</i>
<i>Wall Sign</i>	<i>1 per public road frontage</i>	<i>3 sq. ft. per 1 lineal foot of building/ tenant frontage*</i>	<i>Roof line of the building</i>

Sign, temporary directional: A temporary sign directing individuals to the location of a special event or gathering. (Ord. 12-16-15)

Sign, temporary sale, announcement or merchandising: Any sign denoting a sale or special product, promotion, or announcing a grand opening, new management, or similar event or activity occurring on the premises. Only one such sign shall be permitted at a time per business. Such signs shall be treated as temporary signs, as defined herein and shall be of reasonable size and no larger than the largest permitted signs in the zoning district, unless otherwise specified in this Code. A permanently installed changeable letter panel shall not be considered a temporary sign.

O’Brien: Are the signs really large enough for the possible type of businesses that will be going in? And does it compare to Louisa?

Newman: Yes we did compare, and in previous meetings we have even showed comparisons. Also when talking with Economic Development and other businesses this is what they’re looking for.

Zimmer: We have asked this question over and over again to Economic Development, and we feel satisfied with the outcome.

O’Brien: What was the restricted roof signage? How did you come up with that?

Bibb: We actually don’t allow that anymore. People were painting things on the roofs and things like that.

Public Hearing Comments

None

Bibb: We have worked on this for quite some time and feel confident with the results.

O’Brien: What about businesses with multiple offices spaces? Do they get multiple signs?

Bibb: There would be multiple entrance signs allowed.

Zimmer: I’ve heard more expression for allowing grand openings signs.

O’Brien: But is it still too restricted?

Bibb: It’s in sync with other localities.

Zimmer: Louisa doesn’t seem to be having a problem with it.

Payne: Someone is always going to think you need to change an ordinance.

Motion:

Zimmer made a motion to recommend approval of ZTA 17:01 Sign Ordinance. Seconded by Johnson. The motion carried a vote of 3-0-0 AYE: Zimmer, Johnson, and Bibb NAY: None ABSTAIN: None ABSENT: Lagomarsino, Gaines

ZTA 17:02 PUD Ordinance - James Newman, Planner

Current ordinance language currently states that PUDs should be located “in designated growth areas of the county as set forth in the Comprehensive Plan.”

Comp Plan Chapter 5, Goal A2: “Restrict approval of planned unit development (PUD) zoning to Zion Crossroads, to allow for increased flexibility for commercial, industrial, and residential uses while protecting the county’s rural areas”

Proposed ZTA removes references to allowing PUD’s in non-Zion CPAs.

Amended Language: “Planned unit developments should be located within the designated growth areas of the county as set forth in the comprehensive plan, and should implement the goals of each Community Planning Area.

Must be located within the Zion Crossroads Community Planning Area, as set forth in the Comprehensive Plan.”

Sec 22-14-1

Amended language: “All uses and structures within a PUD district shall be served by both **publicly provided** Central water and sewerage systems, ~~whether publicly or privately provided.~~” Sec. 22-14-13

Public Comments

None

After a lengthy discussion and wide range of questions and concerns that were answered from previous noted meetings the Planning Commission came to a motion.

Motion:

Johnson made a motion to recommend approval of ZTA 17:02 Seconded by Zimmer. The motion carried a vote of 3-0-0 AYE: Johnson, Zimmer, and Bibb NAY: None ABSTAIN: None ABSENT: Lagomarsino, Gaines

ZTA 17:04 Industrial General Ordinance - James Newman, Planner

Amend Chapter 22, Article 12 of the Fluvanna County Code By Certain Amendments to Sections and Subsections 22-12-6, 22-12-7, Thereof, Amending the Fluvanna County Zoning Ordinance. The public purpose of these amendments is to provide flexibility in building design as to building height and yard requirements for purposes of promoting orderly development and economic development.

The proposed amendments amend the Fluvanna County Zoning Ordinance. The amendments are made to increase the allowed height of structures in I-2 zoning; to further specify setbacks and yard requirements; and to introduce a process for increasing height beyond what is proposed to be permitted.

The current maximum permitted height in I-2 is forty-five (45) ft. The proposed amendment would change the permitted maximum height to seventy (70) ft. This will spur economic development by allowing a wide range of I-2 permitted uses that would otherwise be limited by our current maximum permitted height.

Sub section 22-12-7 (A) allows certain uses to be up to sixty (60) ft in height. Because this amendment would increase the maximum permitted height to seventy (70) ft, this section (subsection A specifically) is no longer needed.

Currently there is no explicitly listed mechanism for increasing height above what is permitted. This amendment adds language stating that any structure seeking to exceed seventy (70) ft in height must obtain a special use permit for that height increase purpose.

Public Hearing Comments:

None

Motion:

Zimmer made a motion to recommend approval of ZTA 17:04 Seconded by Johnson. The motion carried a vote of 3-0-0 AYE: Zimmer, Johnson, and Bibb NAY: None ABSTAIN: None ABSENT: Lagomarsino, Gaines

Bibb: I recommend people come to these meetings during times of the discussions so we do not have to deal with this in the future.

Presentations:

None

Site Development Plans:

None

Subdivisions:

None

Unfinished Business:

Columbia Zoning Update – Brad Robinson, Senior Planner

Columbia Renewal Task Force Meeting to be held on Monday June 19th 2017 at 7pm St. Joseph Parish Fellowship Hall, Columbia, VA.

New Business:

None

Public Comments:

None

Adjourn:

Chairman Bibb adjourned the Planning Commission meeting of June 13, 2017 at 8:30pm

Minutes recorded by Stephanie Keuther, Senior Program Support Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission