

FLUVANNA COUNTY PLANNING COMMISSION
WORK SESSION AND REGULAR MEETING MINUTES
FLUVANNA COUNTY ADMINISTRATOR BUILDING, MORRIS ROOM
FEBRUARY 13, 2018
6:00 p.m.

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Lewis Johnson
Sue Cotellessa
Howard Lagomarsino
Patricia Eager, Board of Supervisors Representative

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

Absent: Stephanie Keuther, Senior Program Support Assistant

Open the Work Session: (Mr. Barry Bibb, Chairman)
Pledge of Allegiance, Moment of Silence

Director Comments:
None

Public Comments:
None

Work Session:

Accessory Homestay – Brad Robinson, Senior Planner

The Planning Commission had an in-depth discussion on the following draft amendments proposed for regulations on home occupations and fine arts studios:

Home Occupation

Classified as a “Commercial Use” and permitted by right in the A-1, R-1, R-2, R-3 & R-4 Districts
Current Definition, Article 22 “Definitions”:

Home occupation: An occupation carried on by the occupant of a dwelling as a secondary use in connection with which there is no display, no one is employed other than members of the family residing on the premises, there is no substantial increase in traffic, and provided that not more than twenty-five (25%) of the gross floor area of such dwelling shall be used for such occupation.

Proposed Amendments:

- Amend Section 22-22-1, Definitions:

Home occupation: An occupation, **profession, enterprise or activity** carried on by the occupant of a dwelling as a secondary use in connection with which there is no display, no one is employed other than members of the family residing on the premises, there is no substantial increase in traffic, and provided that not more than twenty-five **percent** (25%) of the gross floor area of such dwelling **or an accessory structure** shall be used for such occupation. **Home occupations shall include the rental of rooms to tourists (see Accessory homestay).**

- Amend Section 22-22-1, Definitions, to add definition for Home occupation, type I:

Home occupation, type I: A lower intensity home occupation suitable for more densely occupied residential areas.

- Amend Section 22-22-1, Definitions, to add definition for Home occupation, type II:

Home occupation, type II: A higher intensity home occupation suitable for agricultural and rural areas of the county.

- Amend Section 22-4-2.1, Uses permitted by right (A-1 District):

Commercial Uses

Family daycare homes

~~Home occupations~~ **Home occupation, type II**

- Amend Section 22-5-2.1, Uses permitted by right (R-1 District):

Commercial Uses

~~Home occupations~~ **Home occupation, type I**

- Amend Section 22-6-2.1, Uses permitted by right (R-2 District):

Commercial Uses

~~Home occupations~~ **Home occupation, type I**

- Amend Section 22-7-9.1, Uses permitted by right (R-3 District):

Commercial Uses

Bakeries
Butcher shops
Financial institutions
~~Home occupations~~ *Home occupation, type I*
Medical clinics
Offices
Personal improvement services
Personal service establishments
Pharmacies
Restaurants, general
Restaurants, small
Retail stores, general
Retail stores, neighborhood convenience
Retail stores, specialty
Studios, fine arts

- Amend Section 22-8-2.1, Uses permitted by right (R-4 District):

Commercial Uses

~~Home occupations~~ *Home occupation, type I*

- Amend Section 22-22-1, Definitions, to add definition for Accessory homestay:

Accessory homestay: A home occupation in which an owner(s) of a dwelling unit who uses such dwelling unit as his/her primary residence, rents to a lodger, either such dwelling unit, or any portion thereof, subject to the following: (1) The bedroom(s) rented to overnight lodgers shall be within the main building of the dwelling unit that the owner occupies as his/her primary residence and shall not be in a detached accessory building; (2) The maximum number of overnight lodgers shall not exceed that allowed by the Building Code; (3) An accessory homestay shall have working fire extinguishers, smoke detectors and, if applicable, carbon monoxide detectors and fire extinguishers, and all such equipment shall be accessible to all overnight lodgers of the homestay at all times; (4) Food and beverages may be prepared or served to overnight lodgers of the accessory homestay by the applicant or applicant's agent(s) or contractor(s); (5) Commercial meetings, including luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation are prohibited; and (6) An accessory homestay shall comply with requirements of the applicable version of the Virginia Uniform Statewide Building Code, as determined by the Building Official.

Fine Arts Studios

Classified as a "Commercial Use" and permitted by right in the R-3, B-1 & BC Districts and by special use permit in the A-1 District

Current Definition, Article 22 "Definitions":

A building, or portion thereof, used as a place of work by a sculptor, artist, or photographer; or used as a place to exhibit and offer for sale works of the visual arts (other than film).

Proposed Amendment:

- Amend Section 22-22-1, Definitions:

~~Studio, fine arts: A building, or portion thereof, used as a place of work by a sculptor, artist, or photographer; or used as a place to exhibit and offer for sale works of the visual arts (other than film)~~ *The workshop of an artist, writer, craftsman, or photographer, but not a place where members of the public come to receive instruction on a more than incidental basis or to sit for photographic portraits.*

- Amend Section 22-4-2.2, Uses permitted by special use permit only (A-1 District):

Commercial Uses

Adult retirement communities
Amusements, commercial
Assisted living facilities
Automobile repair service establishments
Bed and breakfasts
Boarding houses
Butcher shops
Campgrounds
Camps
Car washes
Cemeteries, commercial
Communications service
Dance halls
Daycare centers
Flea markets
Funeral homes
Garden center
Gas stations
Greenhouses, commercial
Hotels
Kennels, commercial
Landscaping materials supply
Lodges
Medical clinics
Outdoor entertainment
Outdoor recreation facilities
Restaurants, small
Retail stores, neighborhood convenience
Retail stores, specialty
Shooting ranges, indoor
Shooting ranges, outdoor

- Small home industries
- Studios, fine arts
- Taxidermists
- Veterinary offices
- Amend Section 22-4-2.1, Uses permitted by right (A-1 District):

Commercial Uses

- Family daycare homes
- Home occupations
- Studios, fine arts*

The Planning Commission determined additional work is needed on the proposed amendments. Staff will continue to work on the draft and come back in the future.

Comprehensive Plan Goal Status – James Newman, Planner

2015 Comprehensive Plan

- Adopted September 2015
- Next update in 2020
- 44 Goals
- 110 Strategies

Overview

- 58 of the 110 Strategies involves Planning Staff and/or Planning Commission
- Overall 27/58 Strategies have been completed
- 26 of those 58 Strategies have a Timeline date of being accomplished by 2016/2017
- 11/26 2016/17 Timeline goals have been completed

Conclusion

- Most incomplete Strategies require working with other Departments (Public Works, Parks and Rec, VDOT...)
- Zoning and Subdivision text amendments would solve some of the incomplete Strategies

Newman: These are draft notes for your review. A more formal presentation and discussion will occur in future months.

Open the Regular Session at 7: 00pm (Mr. Barry Bibb, Chairman)

The Pledge of Allegiance followed by a Moment of Silence.

Director's Report: Mr. Stewart:

Board of Supervisors Actions:

January 31, 2018

SUP 17:05 Jackson's Automotive Services LLC – A request for a special use permit to construct an automobile repair service establishment, with respect to 4.009 acres of Tax Map 17, Section A, Parcel 57C. The property is located along Thomas Jefferson Parkway (Route 53) approximately 0.07 miles north of the intersection with Turkeysag Trail (State Route 1015). The parcel is zoned A-1 and is within the Rivanna Community Planning Area and the Cunningham Election District. **(Approved 5-0)**

February 7, 2018

None

Board of Zoning Appeals Actions:

None

Technical Review Committee for January 11, 2018:

None

Public Comments:

None

Approval of Minutes

Minutes of January 9, 2018

Motion:

Zimmer made a motion to approve the minutes of January 9, 2018 Planning Commission meeting as presented. Seconded by Johnson. The motion was approved with a vote of 5-0 AYE: Cotellessa, Johnson, Bibb, Zimmer, and Lagomarsino. NAY: None ABSTAIN: None ABSENT: None

Public Hearing:

ZTA 18:01 Rezoning Fees – James Newman, Planner

Amend the Fluvanna County Zoning Ordinance

Amend Fluvanna County Code Section 22-17-7. The proposed amendment reduces the rezoning fee by eliminating the \$50-per-acre charge, so as to aid in the economic development of the county.

The proposed amendment to the Fluvanna County Zoning Ordinance will:

- Provide an incentive for economic development by making it cheaper to rezone property
- Make the Zoning Ordinance conform with the goals of the 2015 Comprehensive Plan

Zimmer: If the BOS were to ask, have you assessed how much this will really cost us?

Stewart: We spoke to the Finance Director Eric Dahl and settled with \$900-\$1,200

Cotellessa: Is this the new fee per parcel being rezoned, or per application?

Stewart: Fee is per application.

Public Comments

None

Motion:

Zimmer moved that the Planning Commission recommend *approval* of ZTA 18:01, an amendment and accompanying resolution to the Fluvanna County Zoning Ordinance to amend Chapter 22, Article 17 of the Fluvanna County Code by Certain Amendments to Sections and Subsection 22-17-7, Thereof, Amending the Fluvanna County Zoning Ordinance. The public purpose of these amendments is to aid in the economic development of the County. Seconded by Lagomarsino. The motion was approved with a vote of 5-0 AYE: Cotellessa, Johnson, Bibb, Zimmer, and Lagomarsino. NAY: None ABSTAIN: None ABSENT: None

PRESENTATIONS:

None

Site Development Plans:

None

Subdivisions:

None

Unfinished Business:

None

New Business:

None

Public Comments:

None

Adjourn:

Chairman Bibb adjourned the Planning Commission meeting of January 9, 2018 at 7:17 pm.

Minutes recorded by Stephanie Keuther, Senior Program Support Assistant.

**Barry A. Bibb, Chairman
Fluvanna County Planning Commission**