Minutes
Louisa County Planning Commission
Thursday, June 9, 2022
7:00 PM
Louisa County Public Meeting Room

CALL TO ORDER

ROLL CALL

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	
Gordon Brooks	Commissioner	Present	
Ellis Quarles	Commissioner	Present	
Garland Nuckols	Mayor/Louisa Town Representative	Absent	
Cyrus Weaver	Commissioner	Present	
George Goodwin	Commissioner	Present	
John Disosway	Chairman	Present	
H. Manning Woodward	Vice Chairman	Present	
James Dickerson	Commissioner	Present	
Tony Henshaw	Town of Mineral Representative	Absent	

Others present: Chris Coon, Deputy County Administrator; Josh Gillespie, Director of Community Development; Helen Phillips, County Attorney; Kyle Eldridge, Assistant County Attorney; Tom Egeland, Senior Planner; Bridgette Bittle, Planning and Zoning Technician; Linda Buckler, Deputy Zoning Administrator.

INVOCATION

Mr. Dickerson gave the Invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Woodward.

APPROVAL OF AGENDA

Mr. Weaver motioned to approve the agenda with one change, to move the Public Address period to after the Public Hearing, seconded by Mr. Quarles and opposed by none.

APPROVAL OF PLANNING COMMISSION MINUTES

Planning Commission - Regular Meeting - May 12, 2022 7:00 PM

Mr. Goodwin motioned to approve the minutes, seconded by Mr. Brooks.

Mr. Quarles stated the minutes, on page 5, should reflect a vote of 6-1 for the Special Occasion Facility [CUP2022-02]. He also proposed a revision describing how the number of cabins changed from the applicant's proposal of 12 cottages to the Commission recommendation for 6 cottages. The change proposed was to strike "The applicants clarified" and replace with "After further discussion, the applicants indicated that they were asking for 12 cottages."

On page 5 of the minutes, under Amendments to Chapter 86. Land Development Regulations - Short-Term Rental of a Dwelling, add Mr. Weaver as the dissenting vote to extend the meeting past 10:00 p.m.

The minutes were approved with recommended changes and voted on with no opposition.

CONSENT AGENDA

None.

UNFINISHED BUSINESS

Amendments to Chapter 86. Land Development Regulations – Short-Term Rental of a Dwelling

Mr. Coon opened by explaining all changes made since the Public Hearing.

Mr. Dickerson suggested that the word "visitor" should be replaced with "occupant." He also suggested changes be made to include private sewer systems.

Mr. Gillespie suggested re-wording of section B2 as follows: Strike "water and sewer lines" and change to "Connection to public or private sewerage systems exempt property from this required inspection." He also suggested putting this phrase before "required inspection."

Mr. Disosway asked if the wording should be changed in item 3 to reflect the same and Staff agreed that the wording could be stricken.

Mr. Goodwin asked to add definitions or reference the state code by citations where the definitions are used.

Mr. Disosway pointed out that Item C has the same wording issue to be changed.

Mr. Goodwin asked if the state code satisfies the safety precautions necessary, relating to decks and balconies.

Mr. Coon suggested that the question would be better suited for building official John Grubbs.

Mr. Goodwin asked that Item G, requiring landowners to maintain records of lessees, be added back but for a duration of 1 year.

Mr. Goodwin also stated that he would like the commission to consider restricting the use of travel trailers, tents, and any other accommodations that could increase the occupancy.

There was some discussion on this topic and how it could be worded in the ordinance.

Mr. Goodwin reiterated that his concern is people camping to increase the occupancy rate.

Mr. Goodwin went on to packet page 57 Item B "transient visitor" needs to be changed to "occupancy."

Mr. Goodwin also suggested in Item C, the occupancy should be limited to 2 per bedroom unless otherwise specified by the Department of Health for septic systems designed to accommodate more people, in other words to be "oversized."

There was extensive discussion between Staff, the Commission, and VDH on how to accomplish this.

Mr. Barlow asked if there was a way to fix the STR [Short-term Rental] disturbance in the R-2 zone without having to affect other zones that haven't seen a significant impact.

Mr. Disosway stated that STRs could still be significantly impactful in other zones. He suggested that STRs are a commercial use being introduced into different zones where the use is not presently listed as a permitted use.

Mr. Woodward agreed with the change Mr. Goodwin suggested regarding the septic being determined by the health department.

Mr. Brooks agreed that stating the option to oversize the septic is a good move.

Mr. Dickerson asked to include a recommendation to the Board that the changes to the ordinance will go into effect on January 1, 2023.

Mr. Disosway stated the changes as follows:
1.) Changes to the ordinance will go into effect on January 1, 2023.
2.) Item B "transient visitor" needs to be changed to "rental occupancy."
3.) Item B-1 add the phrase "owner shall also provide."
4.) B-2, B-3, C, and wherever else it's found, change water and sewer lines to public or private sewerage systems.
5.) Item C change "transient visitors" to "occupancy" should be limited to 2 occupants per bedroom or the per person/gallon per day flow rate as indicated in the VDH permit, whichever is greater.
6.) Re-insert item requiring owner to maintain records of lessees and change to duration of 1 year.
7.) Add to Item C: Use of travel trailers, tents, and any other accommodations to increase the occupancy is prohibited. Or other language as proposed by Staff, i.e. No other accommodations shall be allowed onsite other than those permanent structures permitted and constructed for occupancy.

Some discussion continued regarding the camping and how these requirements would be enforced.

Mr. Goodwin asked that the definitions be included.

On motion by Mr. Goodwin, seconded by Mr. Woodward, and passed by a vote of 5-2; with Mr. Quarles and Mr. Weaver in opposition, the Commission forwarded a recommendation of approval to the Board with the changes stated.

PUBLIC HEARINGS

Mt. Road AFD Renewal & Amendments to Section 86-501 Districts Described

Mr. Egeland presented to the Planning Commission the renewal of the Mt. Road AFD. He explained to the Commission that a request had been received prior to the meeting from one landowner who originally requested to have their parcels removed from the district. Mr. Kean has amended his request to remain in the district, except for approximately 33 acres. Mr. Egeland presented copies of the maps, the owner submitted with the amended request, during his Power Point presentation; and also indicated the location of the parcel owned by Lancaster; which was also requested to be removed from the Mr. Road AFD.

Mr. Disosway opened the public hearing.

There were no speakers.

Mr. Disosway closed the public hearing.

Mr. Disosway called on the commission for discussion or recommendation on the renewal of the Mt. Road AFD.

Mr. Brooks motioned to forward a recommendation for the renewal of the Mt. Road AFD and approval of the amendments to Section 86-501 Districts described to amend the district parcels as requested, seconded by Mr. Weaver, and passed by a vote of 7-0.

LDR2022-06 Amendments Chapter 86. – Appendix A. Schedule of Fees

Mr. Coon presented the suggested changes to the fee schedule and plans for extra staffing.

Mr. Disosway opened the public hearing.

There were no speakers.

Mr. Disosway closed the public hearing.

Mr. Goodwin asked why the fees are different on Lake Anna and Mr. Egeland explained that it is due to Lake Anna being owned by Dominion and requires extra approval.

Mr. Woodward stated that the increases seem big, and he would like to see the AFD fee added back to the fee schedule.

Mr. Goodwin agrees with charging people for the services they are using. He stated that he understands why the Board removed the AFD fee, but he understands Mr. Woodward’s position on wanting it added back.

Some discussion went on about the possibility of adding a fee to request removal from the AFD prior to the renewal date.

Mr. Woodward motioned to forward a recommendation of approval of the fee schedule with the AFD fee remaining, seconded by Mr. Brooks and passed by a vote of 7-0.

PUBLIC ADDRESS

Mr. Disosway opened the public address period.

Speaker 1: Barbra Cooper, appreciation for passing the regulations to STR

Speaker 2: Dawn Jackson, appreciation for passing the regulations to STR

Speaker 3: Tracy Clark, appreciation for passing the regulations to STR

Speaker 4: Peter Galanti, questions on AFD

Mr. Disosway directed Mr. Galanti to Staff for answers to AFD questions.

Mr. Disosway closed the public address period.

NEW BUSINESS

None.

DISCUSSION

None.

REPORTS

None.

ANNOUNCEMENTS AND ADJOURNMENT

Mr. Goodwin motioned to adjourn the meeting, seconded by Mr. Brooks. The motion carried 7-0. The regular meeting of the Louisa County Planning Commission was closed at 8:45 PM.

BY ORDER OF:

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JOHN DISOSWAY, CHAIRMAN
PLANNING COMMISSION
LOUISA COUNTY, VIRGINIA