



Planning Commission
County of Louisa
Thursday, September 14, 2023
Louisa County Public Meeting Room
7:00 PM

CALL TO ORDER

Chairman Disosway called the September 14, 2023, regular meeting of the Louisa County Planning Commission to order at 7:00 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	7:00 PM
Gordon Brooks	Commissioner	Present	7:00 PM
Ellis Quarles	Commissioner	Present	7:00 PM
Cyrus Weaver	Commissioner	Present	7:00 PM
George Goodwin	Commissioner	Present	7:00 PM
John Disosway	Chairman	Present	7:00 PM
Ed Jarvis	Town of Mineral Representative	Present	7:00 PM
H. Manning Woodward	Vice Chairman	Present	7:00 PM
James Dickerson	Commissioner	Present	7:00 PM
John J Purcell	Town of Louisa Representative	Present	7:00 PM

Others Present: Josh Gillespie, Director of Community Development; Kyle Eldridge, Assistant County Attorney; Tom Egeland, Senior Planner; Kurtis Rogers, Deputy Subdivision Agent; and Deborah Johnson, Administrative Assistant.

INVOCATION

Mr. Dickerson led the invocation.

PLEDGE OF ALLEGIANCE

Mr. Woodward led the Pledge of Allegiance.

APPROVAL OF AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Brooks, which carried a vote of 7-0, the Planning Commission voted to approve the agenda of the September 14, 2023, meeting as presented.

APPROVAL OF PLANNING COMMISSION MINUTES

Planning Commission - Regular Meeting - August 10, 2023

On the motion of Mr. Goodwin, seconded by Mr. Weaver, which carried a vote of 7-0, the Planning Commission voted to approve the minutes of the August 10, 2023, meeting without changes.

CONSENT AGENDA

None.

PUBLIC ADDRESS

Chairman Disosway opened the public address period. With no one wishing to speak, Chairman Disosway closed the public address period.

UNFINISHED BUSINESS

Chairman Disosway stated a report was distributed during the work session on outstanding items for the Comprehensive Plan. Mr. Goodwin, Mr. Dickerson and Supervisor Barlow are working on the committee to produce the plans. He also stated a meeting to be scheduled with Mr. Goodwin and the Ag/Forestry Committee.

PUBLIC HEARINGS

LDR2022-05, Short-Term Rental Regulations

Director Josh Gillespie presented the amendment to the Planning Commission. He provided information on the current code for short-term rentals of dwellings, and the objective of the proposed code amendment. Slides were provided with details of the timeline of short-term rental regulations, including public hearings. A map of Louisa County was presented with areas marked that have by right with restrictions, agricultural, and attorney general's opinion. Information on how the STR ordinance aligns with the County's initiatives and goals was also explained.

Chairman Disosway opened the public comment period.

Christine Hunt, Mineral District, spoke in concern about the possible septic system issues due to over occupancy of rental homes at Lake Anna.

Larry Zemke, Mineral District, president of Wynwood Coves Homeowner's Association, spoke in concern about over occupancy at Lake Anna, and septic pollution.

Dennis Wallingsford, Cuckoo District, spoke in concern about over occupancy, septic issues, and commercial activity at Lake Anna.

Harry Looney, Mineral District, spoke on behalf of Lake Anna Civic Association, and stated their members feel the rental homes are over occupied and that will cause septic issues at Lake Anna.

Kate Killham, Cuckoo District, stated she owns a rental home at Lake Anna and feels septic systems are not an issue.

Barbara Coe, Cuckoo District, spoke in concern about the future of Lake Anna if rental homes continue to be over occupied.

Dawn Jackson, Cuckoo District, spoke in concern about over occupancy in rental homes at Lake Anna.

Crystal Baliff, Mineral District, gave examples of the benefits of short-term rentals.

Tammy Shelton, Cuckoo District, chair of Tara Woods, spoke in concern about possible shortages of natural resources, such as water supply.

Doug Ward, Cuckoo District, questioned how short-term rentals would be enforced.

Daniel Coffman, Cuckoo District, owns a rental home on Lake Anna, and stated short-term rentals are valuable to the County.

Phil Hunt, Mineral District, spoke in concern about short-term rentals.

Joe Kilde, Cuckoo District, stated short-term rentals will be difficult to enforce.

With no one else wishing to speak, Chairman Disosway closed the public comment period.

Discussion occurred between members of the Planning Commission regarding the regulations in the Ordinance. Commissioner Goodwin motioned the Planning Commission not to recommend a forward of approval of the Ordinance to the Louisa County Board of Supervisors as presented.

On the motion of Mr. Goodwin, seconded by Mr. Quarles, which carried a vote of 7-0, the Planning Commission voted to deny a forward of recommendation of approval to the Louisa County Board of Supervisors on LDR2022-05, Short Term Rental Regulations as presented.

Commissioner Goodwin recommended the Planning Commission discuss and make amendments to the Ordinance. The following is the draft amendment the Planning Commission voted to recommend to the Louisa County Board of Supervisors:

DRAFT AMENDMENT

This amendment is to the following sections of Chapter 86 Land Development Regulations, to change the term “Short-term tourist rental of dwelling” to “Short-term rental of dwelling,” to add restrictions for Short-term rental of dwelling, and to establish the zoning districts where this use would be allowed by-right or with the issuance of a conditional use permit by the Board of Supervisors.

Amendments to Chapter 86. Land Development Regulations, as follows:

- Amend Section 86-13 Definitions to delete the term “~~tourist~~” from the current defined term “Short- term tourist rental of dwelling.” The definition of the revised term remains as follows:

Short-term ~~tourist~~ rental of a dwelling. The rental of a dwelling for periods of 30 days or less.

- Amend Section 86-109 Matrix table

Sec. 86-109. - Matrix table.

Uses allowable by-right or by conditional use permit or disallowable within the county's specific zoning districts, are identified within this matrix. A list of uses run down the first column and a list of zoning districts run across the top row. The intersection between the first column and the rows shows the particular uses for a particular zoning district.

B = Allowable by-right

B(R) = Allowable by-right (with restrictions)

C = Conditional use permit X = Not allowable

PC Changes

	A-1	A-1 (GAOD)	A-2	A-2 (GAOD)	R-1	R-1 (GAOD)	R-2	R-2 (GAOD)	C-1	C-1 (GAOD)	C-2	C-2 (GAOD)	IND	IND (GAOD)	1-1	1-1 (GAOD)	1-2	1-2 (GA)	RD
Commercial																			
Shooting range, outdoor	C	C	C	C	X	X	X	X	X	X	X	X	C	C	C	C	C	C	X
Short-term rental of a dwelling	B	B	B	B	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Special Occasion	C	C	C	C	X	X	X	X	X	C	C	B	X	X	X	X	X	X	C

Only those uses immediately before and after the proposed use to be added (short-term rental of dwelling) have been included for reference only. The remainder of the matrix remains unchanged.

****GAOD for Short-term rental of a dwelling means all properties zoned Residential Limited (R-1) and Residential General (R-2) located within the boundaries of a designated Growth Area as shown on the 2040 Comprehensive Plan.***

Amend Section 86-114 Reserved

- Retitle from “Reserved” to “**Short-term rental of a dwelling**”

For only this section GAOD means all properties zoned Residential Limited (R-

- 1. and Residential General (R-2) located within the boundaries of a designated Growth Area as shown on the 2040 Comprehensive Plan. The following are requirements for use in R-1 GAOD and R-2 GAOD:**

- 1. Owners of dwellings used for short term rental shall provide contact information for the owner and/or any authorized property manager to Louisa County and the dwelling’s subdivision governing body if one exists.**

1. The owner shall provide the current Louisa County Code chapters relative to Noise

(51) and Solid Waste (62) as well as the definitions for Special Occasion Facilities and Gatherings as part of Short-Term Rental contracts.

1. Owner must notify tenants that events, rentals, Special Occasion Facilities and related uses are prohibited, except with valid conditional use permit according to Louisa County Code.
2. One designated off-street vehicle parking space per bedroom, and one designated off-street trailer space measuring 8 ft. x 20 ft., must be provided.
3. Documentation of septic system inspections and repairs shall be provided to Louisa County whenever completed.
4. The dwelling must comply with all applicable state building code and safety regulations.
5. Owners unable to meet all of the above requirements shall be prohibited from operating a Short-term rental of a dwelling without obtaining a Conditional Use Permit from Louisa County Board of Supervisors.
6. A violation enforced under this section shall be in lieu of any criminal penalty except as provided in ~~section 86-11~~ and section 86-11.1.
7. The effective date of this code shall be *January 1, 2025*.

- Amend Section 86-134 Permitted uses - Generally in the Agricultural (A-1) District to add under Commercial uses:

- **Short-term rental of dwelling**

- Amend Section 86-152 Permitted uses – Generally in the Agricultural (A-2) District to add under Commercial uses:

- **Short-term rental of dwelling**

- Amend Section 86-171 Permitted uses with a conditional use permit in the Residential Limited (R-

1. District to add under Commercial uses:

- **Short-term rental of dwelling**

- Amend Section 86-189 Permitted uses with a conditional use permit in the Residential General (R-

1. District to add under Commercial uses:

- **Short-term rental of dwelling**

- Amend Section 86-206 Permitted uses with the issuance of a conditional use permit in the Light Commercial (C-1) District to add under Commercial uses:

- Amend Section 86-224 Permitted uses with the issuance of a conditional use permit in the General Commercial (C-2) District to add under Commercial uses:

- **Short-term rental of dwelling**

- Amend Section 86-242 Permitted uses with the issuance of a conditional use permit in the Industrial (IND) District to add under Commercial uses:

- **Short-term rental of dwelling**
- Amend Section 86-261 Permitted uses with the issuance of a conditional use permit in the Industrial Limited (I-1) District to add under Commercialuses:
 - **Short-term rental of dwelling**
- Amend Section 86-279 Permitted uses with the issuance of a conditional use permit in the Industrial General (I-2) District to add under Commercialuses:
 - **Short-term rental of dwelling**
- Amend Section 86-295 Permitted uses – Generally in the Resort Development (RD) District to add under Commercialuses:
 - **Short-term rental of dwelling– Subject to 86-114**
- Amend Section 86-337 Permitted uses – Generally in the Agricultural (A-1) Growth Area Overlay District to add under Commercialuses:
 - **Short-term rental of dwelling**
- Amend Section 86-357 Permitted uses – Generally in the Agricultural (A-2) Growth Area Overlay District to add under Commercialuses:
 - **Short-term rental of dwelling**
- Amend Section 86-378 Permitted uses with the issuance of a conditional use permit in the Residential Limited (R-1) Growth Area Overlay District to add under Commercialuses:
 - ***Short-term rental of dwelling – Subject to 86-114**
- Amend Section 86-394 Permitted uses with the issuance of a conditional use permit in the Residential General (R-2) Growth Area Overlay District to add under Commercialuses:
 - ***Short-term rental of dwelling – Subject to 86-114**
- Amend Section 86-412 Permitted uses with the issuance of a conditional use permit in the Light Commercial (C-1) Growth Area Overlay District to add under Commercialuses:
 - **Short-term rental of dwelling**
- Amend Section 86-431 Permitted uses with the issuance of a conditional use permit in the General Commercial (C-2) Growth Area Overlay District to add under Commercial uses:

- Amend Section 86-449 Permitted uses with the issuance of a conditional use permit in the Industrial (IND) Growth Area Overlay District to add under Commercialuses:
 - **Short-term rental of dwelling**
- Amend Section 86-467 Permitted uses with the issuance of a conditional use permit in the Industrial Limited (I-1) Growth Area Overlay District to add under Commercialuses:
 - **Short-term rental of dwelling**
- Amend Section 86-484 Permitted uses with the issuance of a conditional use permit in the Industrial General (I-2) Growth Area Overlay District to add under Commercialuses:
 - **Short-term rental of dwelling**
- Amend Section 86-644 Minimum off-street parking to add to 3. *Rooming, boarding or lodging house, or short-term rental of a dwelling - One per sleeping room and one trailer space measuring 20ft x 8ft.per dwelling.*

State Law Reference: Va. Code §15.2-2285.

On the motion of Mr. Goodwin, seconded by Mr. Dickerson, which carried a vote of 6-1, with Mr. Woodward voting against, the Planning Commission voted to forward a recommendation of approval to the Louisa County Board of Supervisors on the substitute ordinance change of LDR2022-05, Short Term Rental Regulations.

NEW BUSINESS

None.

DISCUSSION

Josh Gillespie provided information on a variance request for the Louisa County Board of Zoning Appeals. The meeting is to be held September 20, 2023.

REPORTS

Director Gillespie reported Deputy Subdivision Agent, Kurtis Rogers, will celebrate his one-year employment with Louisa County Community Development at the end of September.

ANNOUNCEMENTS AND ADJOURNMENT

On the motion of Mr. Goodwin, seconded by Mr. Brooks, which carried a vote of 7-0, the Planning Commission voted to adjourn the September 14, 2023, meeting at 9:07 PM.