

PLANNING COMMISSION

MINUTES December 3, 2019

The Rockingham County Planning Commission met on Tuesday, December 3, 2019, in the Board of Supervisors Room in the Rockingham County Administration Center. Members present were, Chairman Keith Sheets, Vice Chairman Rodney Burkholder, Mr. Kevin Flint, Mr. Bill Loomis, and Mr. Mike Harvey. Staff members present were Director of Community Development, Rhonda Cooper; Director of Planning, Bradford Dyjak; Deputy Zoning Administrator, Kelly Getz; and Secretary, Kayla Yankey.

At 6:30 p.m., Chairman Sheets called the meeting to order.

Vice Chairman Burkholder offered the Pledge of Allegiance and Invocation.

MINUTES

On motion by Vice Chairman Burkholder, and seconded by Commissioner Loomis the November 6, 2019, regular minutes and the November 19, 2019, special public hearing minutes were approved with a 5-0 vote.

PUBLIC HEARING

REZONING REQUESTS

A. **REZ19-265 Whitesel Brothers, Inc.**, 1332 Garbers Church Rd., Harrisonburg VA 22801 to rezone a 12.038 acre-portion of a 168-acre parcel located on the west side of Garbers Church Road (Rt.910) approximately 900' south of Erickson Avenue (Rt. 726) from A2-General Agricultural to B-1- General Business. The property is within the urban growth boundary and is shown as Mixed Use in the Comprehensive Plan. Tax map #107-(A)-L201. Election District 2.

Mr. Getz presented the request and clarified that the area to be rezoned was only the 12.038 acres surrounding the existing James River Equipment building, and the remainder to retain the A-2 designation. Mr. Getz explained that rezoning and vacating property line would allow for expansion. Commissioner Flint asked about the Harrisonburg water usage, and Mr. Getz clarified that the new expansion will not use any more water than previously provided services. Vice Chairman Burkholder asked as to the status of the concurrent rezoning application before the City of Harrisonburg relative to the portion of the parcel with frontage along Erickson Avenue. Mr. Getz responded that the case is to be heard by the City Planning Commission.

At 6:38 p.m., Chairman Sheets opened the public hearing.

Dick Blackwell, of Blackwell Engineering, spoke in favor of the rezoning stating James River Equipment is in need of higher ceilings for machine repairs. Mr. Blackwell addressed questions regarding potential water demand, clarifying that water usage would not increase, and only four employees would be added with the expansion. Mr. Blackwell said the building would be around a 100 feet by 100 feet. The new entrance would be from the Erickson Avenue side, and would be further west from the intersection than existing side entrance.

At 6:43 p.m., Chairman Sheets closed the public hearing.

The property in the request is currently zoned A-2, General Agricultural but is shown as Commercial in the Comprehensive Plan. In order for the existing business to expand, a rezoning of this parcel is required. This rezoning request would conform to the Comprehensive Plan and would allow for the expansion of a

business providing machinery and service to local agricultural and construction businesses. Therefore, Mr. Getz presented the staff recommendation of approval.

Vice Chairman Burkholder commented that this will not have a big impact on Belmont Estates residents, and his only concern was the availability of City water.

Vice Chairman Burkholder motioned for the Planning Commission to recommend approval of the proposed rezoning; Commissioner Loomis seconded the motion. On a vote of 5-0, the Commission recommended the approval of this rezoning.

ORDINANCE AMENDMENTS

A. **OA19-255** Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607. Supplemental standards for certain land uses to increase the size of accessory dwellings from 1,200 square feet enclosed area to 1,500 square feet enclosed area.

Mr. Getz presented the request.

Chairman Sheets asked if the maximum 1,200 square footage requirement was difficult to meet for customers, and Mr. Getz explained that manufactured home companies are selling models larger than 1,200 square feet. Commissioner Loomis asked if people were choosing not to build because of the 1,200 square foot stipulation, and Mr. Getz answered that there have been circumstances where this has occurred. Commissioner Harvey asked if there was a minimum acreage requirement, and Mr. Getz confirmed there is not.

At 6:51 p.m., Chairman Sheets opened the public hearing.

At 6: 51p.m., seeing as there was no one to speak in favor of or opposition to the ordinance amendment, Chairman Sheets closed the public hearing.

Mr. Getz presented the staff recommendation of approval.

Commissioner Flint motioned for the Planning Commission to recommend approval of the proposed ordinance amendment; Commissioner Harvey seconded the motion.

On a vote of 5-0, the Commission recommended the approval of this ordinance amendment.

B. **OA19-256** Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607. Supplemental standards for certain land uses to add supplemental standards for convenience stores in the A-2 and RV zoning districts and amending Table 17-606. Land use and zoning table to show that convenience store in A-2 and RV have supplemental standards.

Mr. Dyjak presented the request, which was originally submitted by Clark & Bradshaw with a mutually agreeable amendment made by staff. He informed the commissioners that the new building size in A-2 and RV zoning districts would be limited to 4,000 square foot, as there is currently no limit. Customer seating would be limited to no more than 20% of the square footage of the building.

Commissioner Loomis questioned the general size of convenience stores in the area, in which Mr. Dyjak said the footprints range from below 3,000 square feet to a few as large as 7,000 square feet in B-1 zoning districts. Commissioner Flint asked if there were any existing stores that would not be in compliance with the 4,000 square foot, in which Mr. Dyjak stated there were not any to their knowledge.

At 6: 57 p.m., Chairman Sheets opened the public hearing.

Todd Rhea, of Clark and Bradshaw representing Holtzman Oil Corporation, Inc., stated that the new convenience stores built by Holtzman were in the 4,500 square foot range. Mr. Rhea said that Holtzman is looking to add a country store concept in a more rural location, and currently having a table for seating is not allowed. Mr. Rhea hoped to maintain the small-town feeling, with space for patrons to dine and meet. Mr. Rhea said the 4,000 square feet would be better architecturally and geographically in the rural areas.

Ms. Cooper clarified that even though Holtzman Oil Corporation was being represented in this particular case, this ordinance amendment is for any convenience store in the A-2 and RV zoning districts.

Kim Sandum, from the Alliance for the Shenandoah Valley, questioned if the 4,000 square feet limit was dependent upon dining area seating being provided, to which Mr. Dyjak responded the maximum area would apply to all convenience store in the A-2 and RV zoning districts.

At 7:03p.m., Chairman Sheets closed the public hearing.

With convenience stores being constructed in more rural, outlying areas of the County, it was felt that we do not want large restaurants, but there may some merit to having a small area for people to sit and eat. In doing so, it was also discussed that there should be a size limit on the size of the building. With there being a reasonable balance between size and function staff recommends approval.

Mr. Harvey motioned for the Planning Commission to recommend approval of the proposed ordinance amendment; Mr. Burkholder seconded the motion.

On a vote of 5-0, the Commission recommended the approval of this ordinance amendment.

C. OA19-267 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-201 Definitions generally to allow semi-trailers for storage containers on A-1, A-2 and RV parcels of 2 acres or more and to amend Section 17-607. Supplemental standards for certain land uses to state in the A-1, A-2, and RV parcels of 2 acres or more, if semi-trailers are used for storage, the wheels and axles must be removed and if it is a use that requires a special use permit, such special use permit requirement shall be required for the storage container.

Mr. Getz presented the request by giving the definition of a storage container already established within the ordinance. Mr. Getz explained that no more than 4 storage containers could be on any given parcel, and a Special Use Permit would still be required if the contained use required a Special Use.

Commissioner Loomis asked the purpose of removing the wheels, in which Mr. Getz explained that it looks more like a pod storage container rather than seen as an inoperable vehicle. Commissioner Loomis was concerned that someone with storage on an agricultural parcel may want to move the container around and removing the wheels would make that difficult.

Mr. Getz clarified that on small parcels, less than two acres, the container could be placed temporarily as already permitted in the zoning code.

Commissioner Harvey questioned the B bullet point of the ordinance, asking how the provision to remain “structurally intact” would be determined.

Chairman Sheets asked the definition of temporary, which was clarified by Bullet C.

Commissioner Flint suggested adding a chart to the ordinance for a better understanding of the number of storage containers allowed on each size parcel. Ms. Cooper clarified that if the wheels remain intact on the trailer, the trailer will then be seen as an inoperable vehicle.

At 7:17 p.m., Chairman Sheets opened the public hearing.

At 7:17 p.m., seeing as there was no one to speak in favor of or opposition to the ordinance amendment, Chairman Sheets closed the public hearing.

Mr. Getz presented the staff recommendation of approval explaining that it was determined this may be an appropriate way to put some of the old semi-trailers to use on larger parcels of agricultural land and larger RV parcels of land. Staff further recommended stipulating that the wheels and axles had to be removed so they would no longer be considered motor vehicles.

Commissioner Flint motioned for the Planning Commission to recommend approval, with the condition of adding a chart to part C to provide more clarification on permissible units per acreage of the proposed ordinance amendment; Commissioner Loomis seconded the motion.

On a vote of 5-0, the Commission recommended the approval of this ordinance amendment with the revision recommended by Commissioner Flint.

UNFINISHED BUSINESS

A. Amendment to the Comprehensive Plan – Possible recommendation to adopt the Stone Spring Urban Development Area Plan as a component of the Rockingham County Comprehensive Plan.

Commissioner Harvey, who was absent during the special public hearing on November 19, said he felt comfortable with the presented plan.

Commissioner Harvey motioned for the Planning Commission to recommend the adoption of the Stone Spring Urban Development Area Plan, Vice Chairman. Burkholder seconded the motion.

On a vote of 5-0, the Commission recommended the adoption of the Stone Spring Urban Development Area Plan as an amendment to the Comprehensive Plan.

B. Tabled August 6, 2019:

OA19-165 – Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-201 (Definitions generally) to add the definition of time-share and timeshare, lockout unit.

Mr. Dyjak shared that staff will be withdrawing the ordinance amendment formally and bring forth a revised version in early 2020.

NEW BUSINESS

A. 2020 Planning Commission Meeting Schedule & Inclement Weather Policy

Vice Chairman Burkholder motioned for the Planning Commission to approve the 2020 Planning Commission Meeting Schedule and Inclement Weather Policy; Commissioner Loomis seconded the motion.

On a vote 5-0, the Commission approved the 2020 Meeting schedule and Inclement Weather Policy.

ONGOING BUSINESS

A. Pending Ordinance Amendments – Update

Mr. Dyjak informed the Commission may not be hearing the inoperable vehicle amendment because it may not be part of the zoning chapter of the ordinance. Instead, it may be codified in another code section, which would not require a public hearing before the Planning Commission.

B. Capital Improvements Program (CIP) Advisory Subcommittee – Update

Commissioner Flint updated the Commission and said all the meetings were finished, and they were modeling and prioritizing projects. The plan is to present to the Planning Commission in January or February.

MISCELLANEOUS

CITY PLANNING COMMISSION LIAISON REPORT

Commissioner Harvey gave a report for the November 13, 2019 Harrisonburg City Planning Commission Meeting.

Upcoming Harrisonburg City Planning Commission Meeting

The Liaison for the December 11, 2019 Harrisonburg City Planning Commission Meeting is Vice Chairman Burkholder.

SITE VISIT

There is a no site visit scheduled at this time.

STAFF REPORT OVERVIEW

Ms. Cooper explained that there was nothing new to highlight within the staff report.

ADJOURNMENT

At 7:32 p.m., having no further business, the Commission adjourned

Keith Sheets, Chair

Kayla Yankey, Secretary