

FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Circuit Court Room--Fluvanna County Courts Building
May 9, 2017
7:00 p.m.

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Lewis Johnson
Donald Gaines
Howard Lagomarsino

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: Tony O'Brien, Board of Supervisors Representative

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:

April 19, 2017
None

May 3, 2017
None

Board of Zoning Appeals Actions:

BZA 16:04 – Roger Stevens: An appeal of a zoning determination by the Zoning Administrator under Fluvanna County Code Section 22-18-4, that the appellant is in violation of Fluvanna County Code Sections 22-4-2, 22-4-2.1, 22-4-2.2 and 22-22-1 at the property identified as Tax Map 8, Section A, Parcel 25B. The subject property is located in the Palmyra Election District along Thomas Farm Lane approximately 0.2 miles north of Lake Monticello Road (Route 618). The property is zoned A-1, Agricultural, General. (Withdrawn)

Technical Review Committee for April 13, 2017:
None

Public Comments:
None

Approval of Minutes
Minutes of April 11, 2017

Motion:
Johnson made a motion to approve the minutes of the April 11, 2017 Planning Commission meeting as presented.
Seconded by Lagomarsino. The motion carried a vote of 5-0-0 AYE: Johnson, Lagomarsino, Bibb, Gaines, and Zimmer
NAY: None ABSTAIN: None ABSENT: None

Public Hearing:
ZTA 17:03 Junk Definitions Amendment - Brad Robinson, Senior Planner
Amend the Fluvanna County Zoning Ordinance Subsection 22-22-1 (Chapter 22, Article 22: Definitions) to create and modify definitions pertaining to junk and/or the storage thereof.

The proposed amendment modifies existing definitions for “junkyard” and “junk” as follows:

Existing Junkyard

An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills. See Salvage and scrap yard use.

Proposed Junkyard

Any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, dismantling, baling, recycling, salvaging, wreckage, purchase, sale or abandonment of junk, scrap, waste, reclaimable material or debris. The term "junk yard" shall not include items which are incidental and necessary to agricultural or industrial use.

Existing Junk

Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

Proposed Junk

Any scrap, discarded, dilapidated, dismantled or inoperable: vehicles, including parts or machinery thereof; household furniture and appliances; construction or building equipment and materials; iron, steel, and other old or scrap ferrous and nonferrous metals; tanks, containers, drums, and the contents thereof; and tires, pipes, wire, wood, paper, metals, rags, glass, plastic, food and related types of salvage or waste material.

The proposed amendment also creates new definitions for “Storage, outside” and “Storage yard” as follows:

Storage, outside

The keeping of equipment, vehicles, implements or materials of any kind in a setting other than a completely enclosed structure. Outside storage shall not include outside display.

Storage yard

The use of any space, whether inside or outside a building, for the storage or keeping of construction equipment, machinery, vehicles or parts thereof, boats and/or farm machinery.

Bibb: We used to have a limit in the ordinance of 5 automobiles, does that still exist?
Stewart: No, we have a separate definition for an automobile graveyard. Six or more constitutes an automobile graveyard.
Bibb: If you’re restoring a vehicle and have other vehicles on the property that they use for parts, would they be in violation with this ordinance?
Payne: The other that Mr. Stewart is talking about is free standing as an automobile graveyard.
Zimmer: Mr. Payne how does this affect someone who has this now?
Payne: They would be grandfathered in.
Gaines: How do we prove if they already had it or not?
Payne: Aerial photos. These things are enforced by complaint. So if a neighbor says they have lived in their home for 3 yrs. and those junk cars were not there before then they are in violation.
Bibb: What about inoperable covered lawnmowers that maybe they use for parts?
Payne: I don’t consider a lawnmower to be a vehicle.
Stewart: That can lead to other issues if people are bringing in automobiles to have them worked on. That requires a Special Use Permit.
Bibb: I’m concerned about the old farm equipment for example and how to balance that.
Payne: It will be for the planning director to use his judgement in certain cases.

Public Comments:

None

Motion:

Gaines made a motion to recommend approval of ZTA 17:03 to amend the Fluvanna County Zoning Ordinance Subsection 22-22-1 (Chapter 22, Article 22: Definitions) to create and modify definitions pertaining to junk and/or the storage thereof. Seconded by Zimmer. The motion carried a vote of 5-0-0 AYE: Gaines, Zimmer, Bibb, Lagomarsino, and Johnson NAY: None ABSTAIN: None ABSENT: None

Presentations:

2016 Development Activity Report - James Newman, Planner

The Fluvanna County Department of Planning and Community Development is proud to present the 2016 Development Activity Report (DAR). Development activity in this report has been approved by the Fluvanna County Board of Supervisors and committees appointed or approved by them, including the Planning Commission, Board of Zoning Appeals, and the Department of Planning and Zoning. This report has been prepared to make clear the growth impacting Fluvanna County, which is reflected by changes in land use. Land use changes are tracked by the Development Information Database (DID), which was used to prepare this report and is maintained by the Department of Planning and Zoning. The DAR allows land use comparisons and trends to be seen over time, which provides important clues for future needs, such as new school bus routes and traffic systems. This report reflects the outcome of development by Election District and Land Use Planning Area, and evaluates Fluvanna County’s preservation initiatives. In addition, this report allows an analytical observation of the relationship between land use planning and various application requests. For example, proposed growth areas may not achieve the intended results if development requests are granted in areas outside established Community Planning Areas (CPAs). This report provides a quantitative summary of development through 2016, and indicates where this growth is taking place.

Gaines: In our regular packets, we used to get a copy of the code compliance report. Whatever happened to that?
Newman: We will look into that.

Motion:

Lagomarsino made a motion to approve 2016 Development Activity Report Seconded by Johnson. The motion carried a vote of 5-0-0 AYE: Lagomarsino, Johnson, Bibb, Zimmer, and Gains NAY: None ABSTAIN: None ABSENT: None

Site Development Plans:

None

Subdivisions:

None

Unfinished Business:

Columbia Zoning Update – Brad Robinson, Senior Planner

Background

- Surveys mailed on March 10, 2017
- 46 Surveys were mailed out
- 17 Responses received (1 Duplicate)
- 7 of 16 respondents own multiple parcels

Johnson: Has the county acquired those four buildings?

Payne: Yes we have signed contracts on them and plan to start work this summer. I believe it's actually four buildings and seven parcels.

Johnson: When does the grant run out if you don't exercise it?

Payne: I believe it's the first of the year. Regarding the floodplain, I would like to clarify: the stream that runs through the middle of town is Columbia Creek. It will not matter what you zone these properties because they will not be developed being they are in the flood plain.

Stewart: What would be your next step recommendation towards addressing the zoning situation there?

Payne: There are three ways to amend the zoning map. Motion by resolution to the BOS; Motion to the Planning Commission; or by application of the owner of the property. Obviously the third is not appropriate in this case having multiple properties and owners. We will need to have a motion by this commission or the BOS to zone these parcels. Please note I'm not saying Rezoned as these properties are not currently zoned except in the flood plain.

Gaines: Will there be a tax increase?

Payne: I couldn't say that one way or the other.

Stewart: We could have a recommendation for zoning resolution next month.

Zimmer: Could we send a notice out to the people who have been responding and expressing interest in this?

New Business:

I-2 District Height Zoning Text Amendment - James Newman, Planner

Motion:

Zimmer made a motion to approve the revised text of the planning meeting as presented. Fluvanna County Planning Commission direct staff to initiate a Zoning Text Amendment to amend "Chapter 22, Article 12 of the Fluvanna County Code by amending Sections 22-12-6 and 22-12-7 to amend yard regulations and increase building height to further the goals of the 2015 Comprehensive Plan", and to schedule a future public hearing for formal Planning Commission consideration and recommendation to the Board of Supervisors.

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.

Seconded by Johnson. The motion carried a vote of 5-0-0 AYE: Zimmer, Johnson, Bibb, Gains and Lagomarsino NAY: None ABSTAIN: None ABSENT: None

Public Comments:

None

Adjourn:

Chairman Bibb adjourned the Planning Commission meeting of May 9, 2017 at 7:52pm

Minutes recorded by Stephanie Keuther, Senior Program Support Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission