

**PLANNING COMMISSION**  
**April 18, 2018**

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, APRIL 18, 2018, AT 6:30 PM IN THE COUNTY MEETING ROOM.

Members present were: Jay Willer, Chairman  
William Saunders, III, Vice-Chairman  
Ron Williams, Member  
John McCloskey, Member  
Steve Kruskamp, Jr., Member

Staff present were: Dale Herring, Ex-Officio Member  
Bart Svoboda, Planning Director  
Stephanie Golon, County Planner  
Shawn Leake, Zoning Officer  
Marsha Alley, Secretary

**CALL TO ORDER**

The Chairman called the meeting to order.

**DETERMINATION OF QUORUM**

Each member stated their name on the record to determine a quorum.

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE**

Mr. Willer led the group in the Pledge of Allegiance and a Moment of Silence.

Mr. Willer introduced and welcomed Julian Bevins of the Albemarle County Planning Commission noting that he is in attendance tonight fulfilling the obligations for the Planning Commission Certification Program.

**PUBLIC HEARINGS**

**Greene County Zoning Ordinance Revision: All American Storage II, LLC has requested to revise Article 9-Business, B-2, and all applicable references to include mini-storage units as a use permitted in the B-2 zoning district. (OR#18-002)**

Mr. Willer read the request and asked for a report.

Mrs. Golon addressed the Commission. She stated that the request is applicant generated but would apply to the county as a whole. She provided information regarding the request and reviewed the language and definitions as provided in the Commission packet. She gave a history of the business districts and previous amendments to those districts. She reviewed the uses as they currently

exist and the revision as proposed. She compared the B-2 and B-3 districts, noting that the applicant has requested the mini-storage use in the B-2 district by special use permit. She stated that due to the low demand on infrastructure and the existing supplemental zoning ordinances, which are intended to preserve the character of the adjacent parcels/district, staff recommends that the ordinance be amended to allow mini-storage units as a by-right use in the B-2 zoning district. She reviewed the zoning maps and the B-2 parcels. She described the buffering requirements and the lighting ordinance for the business districts, noting that those items would be addressed during the site development plan phase.

Jeff Early, attorney for the applicant, addressed the Commission. He stated that Mrs. Golon made an accurate presentation. He added that the use is less intrusive than other uses in the district and requested that the amendment be granted. He noted that the existing use is operating under a previously granted special use permit.

Mr. Willer asked for clarification of the location of the proposed units.

Mr. Early described that it would be within the confines of the existing parcel.

Mrs. Golon explained that those types of details would be considered during the special use permit phase at another meeting, noting that tonight is only about the ordinance revision.

There was discussion regarding the density of the use and the need for a special use permit whether or not the revision is approved.

The Chairman opened the public hearing.

There being no public comment, the Chairman closed the public hearing.

Mr. Willer stated that the applicant requested the revision to allow the use by special use permit and the staff has recommended that the issue be broadened to allow the use by-right. He asked how staff came to that conclusion.

Mrs. Golon explained that the use would be a low traffic and noise generating use and could be appropriate as a by-right use in the B-2 district. She stated that no complaints have been generated from this use and the conditions placed on the existing special use permits have been adhered to and the business owners have been good neighbors.

Mr. Willer stated that he is familiar with the site and the location. He referred to the zoning map and the yellow dots that designate parcels that could be affected. He noted that he has concerns regarding broadening the use as a by-right use given the number and locations of some of the parcels that are currently zoned B-2.

There was discussion regarding the impacts that may be generated by the use as allowed by-right. It was noted that traffic, noise, and aesthetics have been

identified as potential impacts, in addition to the number of parcels that could be developed and the other potential uses that could be affected if mini-storage is allowed by-right in those areas.

Mr. Willer stated that he would be reluctant to make the use by-right as opposed to being allowed by special use permit.

Mr. Williams referred to a parcel in Ruckersville and asked if that owner had received a special use permit.

Mrs. Golon stated that the property owner rezoned the property to B-3 and the use is allowed by-right.

There was discussion regarding the B-3 district and the use being allowed by-right in the district. It was noted that conditions cannot be placed on the rezoning of a parcel.

Mr. McCloskey mentioned that security of the facility could also be a concern.

There was discussion relating to security options for these types of businesses.

Mr. Saunders asked what the allowances were for the use prior to 2009.

Mrs. Golon stated that prior to 2009, the use was allowed in B-2 by Special Use Permit. She explained that in 2009, the Business District was overhauled to more accurately address allowed uses in the most appropriate districts.

Mr. Willer stated that the proposed motion #1 is basically the applicant's original request and #2 would reflect the suggestion of staff to allow the use by-right in B-2.

There was discussion regarding the possible motions. There was clarification of the applicant's request and the recommendation of staff.

Mr. Early stated that the applicant would be amicable with either decision. He suggested that mini-storage is likely more of a B-2 type of use instead of a B-3 use.

Mrs. Golon stated that many of the parcels noted by yellow dots on the zoning map are surrounded by B-3 zoning districts.

Mr. Williams noted that the applicant's location is on a parallel access road which may align with the vision for Ruckersville.

There was continued discussion comparing how the use would be allowed in the B-2 and the B-3 districts.

Mr. Williams stated that he could support approval of the request by special use

permit but not by-right.

There was further discussion on the possible motions and how the revision would move forward to the Board of Supervisors.

Mr. Saunders stated that the potential locations that may border residential areas would lead him to support the use allowed by special use permit.

Mr. McCloskey stated that he could support that as well.

There was discussion regarding the motion.

Mr. Williams made a motion to recommend approval of ordinance revision OR#18-002 to allow mini-storage units by special use permit in the B-2 zoning district as submitted by the applicant.

Mr. McCloskey seconded the motion.

The vote was taken.

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Mr. Saunders		
Mr. McCloskey		
Mr. Kruskamp		
Mr. Williams		
Mr. Willer		

The motion to recommend approval of OR#18-002 carried by a 5-0 vote.

**OLD/NEW BUSINESS**  
**Greene County Zoning Ordinance Revision: Revise Article 5-Residential, R-1, Article 16-25-Tourist Lodging, Article 22-Definitions, and all applicable references to include Tourist Lodging as a permitted use in the R-1 zoning district. (OR#18-001)**

Mr. Willer read the request and explained that the public hearing was held in February and the decision was deferred.

Mrs. Golon offered a brief overview of the request and the discussion from the February meeting. She noted that temporary events are not allowed in the R-1 district and explained that the proposed language reflects that information as well as other suggestions as made by the Commission in February. She reviewed the staff report and offered two scenarios that could apply to the revision.

Mr. Willer clarified that the R-1 regulations do not change but the tourist lodging language would determine how tourist lodging could exist in the R-1 district.

There was discussion relating to the zoning district regulations and how tourist

lodging would be included, what the trigger mechanisms may be, and what threshold would be used for the use.

Mr. Williams asked what the process would entail to establish a tourist lodging use.

Mrs. Golon explained the process and fees for tourist lodging by-right and by special use permit.

There was discussion regarding the tracking of tourist lodging and collection of the TOT tax.

Mr. Williams stated that someone had performed a survey regarding Airbnb compliance and asked if there is an ongoing mechanism to track those businesses.

Mrs. Golon stated that the Zoning Department is complaint driven.

There was discussion regarding the number of subdivisions that may have a Home Owner's Association (HOA) which may not allow tourist lodging within the covenants and restrictions. There was additional discussion regarding the number of rooms allowed in tourist lodging and how it may affect neighboring properties. It was noted that allowing the use by special use permit would allow neighbors to offer input and review each case separately.

Mr. Willer noted that an email was included in the packet that provided a good example of what was being discussed.

There was discussion regarding the number of bedrooms allowed and the mirroring of the language with the A-1 and C-1 districts.

Mr. Kruskamp stated that he understands that neighbors need to have some recourse or protection but that he would not want to hamper a property owner's efforts to supplement income by renting a room using Airbnb. He noted that if this would allow the property owner to offset the cost of the property and keep them out of bankruptcy, then he would prefer that the process cost be lower. He wondered if the number of guest rooms being lowered would make the use allowable by-right and if the number of rooms goes above a certain threshold that would trigger the need for a special use permit.

Mr. Williams added that he had thought of similar circumstances in the case of the rental being owner occupied.

Mr. Saunders stated that his concern is that the number is arbitrary and that there is the possibility of a property owner turning their five or six bedroom house into a hostel. He restated his preference to allow the use by special use permit so that there can be a case by case review.

Mr. Willer stated that previous discussions had addressed the owner-occupied option and wondered if there needed to be a difference between owner occupied and non-owner occupied. He noted that it may be more complicated at this point of discussion but could be reviewed at a later time. He added that the fees associated with applications and processing are assigned by the Board of Supervisors with consideration of advertising costs, staff development, etc. and it does allow for a property owner to establish a business.

Mrs. Golon explained that this language addresses short-term rentals and does not change the property owner's opportunities for long-term rentals.

Mr. Kruskamp stated that his mindset was along the Airbnb route for those who may have fallen on hard times.

Mr. McCloskey stated that he could support allowing the use by special use permit.

Mr. Saunders stated that he believes a transition would be in order by allowing it by special use permit.

There was discussion regarding possible motions.

Mr. Saunders made a motion to recommend approval of ordinance revision OR#18-001 as stated in the draft 16-25-3 which provides language to read that Tourist Lodging is only permitted by special use permit in the R-1 zoning district.

Mr. McCloskey seconded the motion.

The vote was taken.

AYE

Mr. Kruskamp  
Mr. McCloskey  
Mr. Saunders  
Mr. Williams  
Mr. Willer

NAY

The motion to recommend approval of OR#18-001 carried by a 5-0 vote.

Mr. Willer stated that he did not want to overlook Mr. Kruskamp's suggestion of allowing owner occupied rentals with a lower number of guest rooms. He mentioned that this could possibly be considered at a later date.

**APPROVAL OF MINUTES**

Mr. McCloskey made a motion to approve the February 21, 2018 meeting minutes as presented.

Mr. Saunders seconded the motion.

The minutes for the February 21, 2018 meeting were approved by a 5-0 vote.

### **OTHER PLANNING MATTERS**

#### Public Work Session:

#### Ruckersville Area Plan (RAP)

Mr. Willer gave an overview of the Ruckersville Area Plan.

Mrs. Golon introduced Will Cochrell, Nick Morrison, and Christian Zimmerman from the Thomas Jefferson Planning District Commission (TJPDC). She described their role in participating in the development of the Ruckersville Area Plan.

Nick Morrison, TJPDC, addressed the Commission. He gave an introduction to the plan and its goals. He explained that several open houses and public sessions were held to gain public input and that those meetings were successful in gaining feedback. He noted that other meetings were held with county staff and officials as well. He stated that the next step would be to hold a public hearing with the Planning Commission in May and then move forward to the Board of Supervisors.

Will Cochrell, TJPDC, addressed the Commission. He reviewed the recommendations that resulted from this review process. He noted that it is a community to-do list relating to the vision for the Ruckersville community. He reviewed the various categories included in the RAP and the goals for each recommendation. He stated that the TJPDC would like feedback and recommendations from the Commission regarding these topics and asked if there was anything that the Commission needed from the TJPDC for the May meeting.

Mr. Williams complimented the RAP and noted that the acronyms should be spelled out and noted that there is a duplicate in the note sections of C8 and C10. He asked if there were any other thoughts as to encouraging more citizen engagement.

Mr. Cochrell stated that many localities struggle with maintaining citizen involvement and that in most cases, there needs to be a multifaceted approach using different tools. He added that civic organizations, groups, citizens, etc. could also use their outreach strategies to come together to try to get the word out more effectively. He noted that the solution is often unique to each community.

Mr. Willer noted that there had been a mention of the development of a Ruckersville area support group to keep the county's nose to the wheel about getting things done. He noted that local citizen groups seem to be able to network and get the word out.

There was discussion regarding public outreach and mechanisms to encourage more participation and the creation and recruitment for the Ruckersville Advisory Group. There was discussion regarding the next step being to hold a public hearing at next month's meeting for additional public review and to allow the Commission to make a recommendation to the Board of Supervisors.

Mr. McCloskey asked if the access to bike paths or walking paths had been a consideration.

Mr. Cochrell offered insight to the comments that had been received regarding bike paths, pedestrian paths, recreation facilities, and restaurants.

There was discussion regarding the inclusion of the point of contacts for each item listed in the plan, the use of goals to meet objectives, and the Citizen's Academy.

The Chairman opened the public work session.

There being no public comment, the Chairman closed the public work session.

Mr. Willer reminded that there will be a public hearing for the RAP at the next meeting.

Mrs. Golon offered a brief overview of the review process moving forward noting that suggestions from tonight meeting will be included in the next draft.

#### Town of Stanardsville Information

Mr. McCloskey stated that the streetscape project is progressing; although, there have been a few delays relating to underground utilities, etc. He noted that a dental office is considering moving into the area and the Town is supporting that project.

Mr. Svoboda stated that the Town has passed a resolution for the Hazard Mitigation Plan.

There was discussion regarding the streetscapes and façade improvement plans.

Mr. McCloskey added that there will be a thrift shop opening in the shopping center as well.

Mr. Willer asked how the Tourist Lodging revision would affect the Town of Stanardsville.

Mrs. Golon explained that the Town of Stanardsville has its own Zoning Ordinance and specific Town designated zoning districts. She noted that the Town would not be affected by tonight's recommendation.



Next Month's Agenda

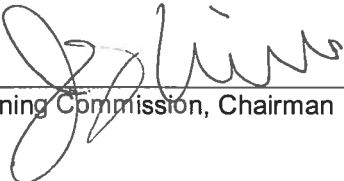
Mrs. Golon reviewed the three public hearings scheduled for next month's meeting, a special use permit relating to mini-storage, a proffer amendment, and the RAP.

**ADJOURNMENT**

There being no further business, the meeting was adjourned.

Respectfully submitted,

*Marsha Alley*  
Secretary

  
\_\_\_\_\_  
Planning Commission, Chairman

3.16.18  
\_\_\_\_\_  
Date