

## Spotsylvania County Planning Commission

**DRAFT**

Holbert Building Board Room, 9104 Courthouse Road, Spotsylvania VA 22553

**MINUTES:** October 18, 2017

**Call to Order:** Mr. Newhouse called the meeting to order at 7:00 p.m.

**Members Present:**

Gregg Newhouse	Chancellor
Richard Thompson	Courtland
Michael Medina	Salem
Howard Smith	Livingston
Mary Lee Carter	Lee Hill
C. Travis Bullock	Battlefield
C. Douglas Barnes	Berkeley

**Staff Present:**

Wanda Parrish, AICP, Director of Planning  
B. Leon Hughes, AICP, Assistant Director of Planning  
Paulette Mann, Planning Commission Secretary  
Kimberly Pomatto, CZA, Planner III  
Alexandra Spaulding, Senior Assistant County Attorney  
Patrick White, Planner III

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**Announcements:** Ms. Parrish informed the Commission about an upcoming community meeting that VDOT is hosting about Mudd Tavern Road improvements.

### **Review & Approval of minutes:**

**Motion and vote:** Ms. Carter made a motion, seconded by Mr. Thompson to approve the minutes of September 20, 2017. The motion passed 5-0-1, with Mr. Barnes abstaining due to his absence.

**Unfinished Business:** None

### **Review and approval of plat:**

- **P17-0004 Wheatland Station (Lee Hill District)**

The applicant requests approval of the Preliminary Plat for 10.5 acres of Planned Development Housing 12, PDH-12 zoned land in order to construct ninety eight (98) single-family attached homes. Tax map number 37-A-56, Lee Hill Voting District

Staff has reviewed the Preliminary Plat and recommends approval of the plat dated; September 26, 2017.

At a meeting of the Spotsylvania County Planning Commission held October 18, 2017 on a motion by Ms. Carter, seconded by Mr. Medina and passed 6-0, the Commission approved the following resolution:

### **RESOLUTION**

#### **Approve P17-0004 Wheatland Station Preliminary Plat**

**WHEREAS**, the applicant requests approval of the Preliminary Plat for 10.5 acres of Planned Development Housing 12, PDH-12 zoned land in order to construct ninety eight (98) single-family attached homes. Tax map number 37-A-56, Lee Hill Voting District; and

**WHEREAS**, staff has reviewed the Preliminary Plat and recommends approval of the plat dated; September 26, 2017 and

**WHEREAS**, the Planning Commission reviewed the Preliminary Plat on October 18, 2017 and a motion was made and seconded to recommend approval of the Plat with a vote of 6-0; and

**WHEREAS**, general welfare and good subdivision practice are served by approval of the Plat; and

**NOW, THEREFORE, BE IT ORDAINED** that the Spotsylvania County Planning Commission does hereby approve P17-0004 the Wheatland Station Preliminary Plat.

**BE IT FINALLY ORDAINED** that the Spotsylvania Planning Commission's approval does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

#### **Public Hearing(s):**

*Mr. Newhouse reviewed the public hearing procedures and opened the public hearing.*

#### **Code Amendment(s):**

**CA17-0009 (Ordinance No. 23-173) Spotsylvania County Planning Commission:** Amendments to the Code of the County of Spotsylvania, Chapter 23, Zoning, Article 2, Definitions and Rules of Construction in Section 23-2.1.4 Definitions, to add defined terms; Section 23-4.5.7 Standards of Review, to add use-specific standards for Solar Energy Facilities; Section 23-6.3.3 Special Uses in the Agricultural 2 (A-2) zoning district, to add Solar Energy Facility as a Special Use; and Section 23-6.4.3 Special Uses in the Agricultural 3 (A-3) zoning district, to add Solar Energy Facility as a Special Use; and Division 23-6.24.3 Special Uses in the Rural (Ru) zoning district, to add Solar Energy Facility as a Special Use. Amendments are intended to define, set minimum standards, and designate zoning districts in which Solar Energy Facilities may be permitted by Special Use.

Mr. White presented the case. He explained that the ordinance intent is to allow solar facilities with a special use permit in A-2, A-3, & RU zoning. The proposal's intent is not to regulate small installation used to power wells or fencing.

He explained that uses that are designated as "special uses" are generally compatible with other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and the county as a whole, require individual consideration of their design, configuration, and/or operation at the particular location proposed.

Staff is recommending approval of the ordinance amendment.

Mr. Smith asked staff the difference in by-right development and a rezoning and special use process.

Mr. White explained.

Mr. Barnes inquired if staff feels the language is strong enough for properties that rub against other uses.

Mr. White stated yes. The ordinance allows buffers to be established with the special use.

Ms. Carter had questions about taxing of these properties.

Mr. White stated that they would be taxed but not very highly. These uses are being encouraged by the state.

Mr. Barnes inquired if the equipment/improvements are taxed.

Ms. Parrish stated that 20% of the assessed value is able to be taxed. Above a certain size, the state does the assessment, below a certain size, the County does the assessment.

There was discussion about the county losing money through taxing.

Ms. Parrish explained that many of these parcels are in forestry and are taxed under land use. Rollback taxes would occur and there would be an elevated value with the improvements.

Ms. Carter inquired what the positives are for the County.

Mr. Barnes stated that these gather additional investment to the tune of millions of dollars, jobs, and revenue. It provides an alternative to farming and allows farmers to maintain their properties.

*Speaking in favor or opposition:* None

*Mr. Newhouse closed the public hearing.*

**Motion and vote:** Mr. Smith made a motion, seconded by Mr. Thompson to approve the zoning amendment. The motion passed 6-0.

**New Business:**

Ms. Parrish took a few minutes to demonstrate updates that have been made to the County's website in regard to cases that have been submitted and are under review by the planning department. We are really trying to get information out to our citizens early in the process. She asked the Commission members to help spread the word about the resources that are available now.

Mr. Newhouse inquired whether the Commission members email accounts that they use for county business are subject to FOIA.

Ms. Spaulding stated yes, that any County business that is conducted with email is subject to FOIA. She recommends that the Commissions set up an account exclusively for county business.

Mr. Newhouse stated that he thought that was the case but it's a good reminder.

**Public Comment:** None

**Motion and vote:** Mr. Thomspon made a motion, seconded by Ms. Carter to adjourn. The motion passed 6-0.

The meeting adjourned at 7:25 p.m.

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Paulette Mann

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Date