

Minutes
Northampton County Planning Commission
Work Session
November 24, 2015
16404 Courthouse Road, Eastville, VA
7:00p.m., Upstairs Conference Room

Present – Dixon Leatherbury, Jacqueline Chatmon, Mike Ward and Dave Fauber. Absent – Mark Freeze, Kay Downing and Sylvia Stanley.

Also present, Peter Stith, Long Range Planner and Melissa Kellam, Zoning Administrator

The meeting was called to order and a quorum was established. The agenda was reviewed and approved as presented.

The Commission reviewed Article VII – Article XII of the proposed zoning and made the following changes highlighted in blue text.

Agricultural disposal practices and structures. An area or structure **in which** to put dead **poultry/livestock, into** a landfill or disposal pit; the treatment and complete destruction of dead poultry in an incinerator or treatment by rendering or composting; for the management of dead **livestock poultry** by other methods approved by the State Veterinarian and in accordance with other state laws and regulations. When used in association with intensive farming specific setbacks must be met as defined in §154.1-307 of the NCC.

Ammonia scrubber. **Machines Equipment** utilized in intensive farming for the purpose of removing ammonia gas from the air discharged by confinement buildings that house animals.

Biomass. Agricultural-related materials including vineyard, grain or crop residues; straws; aquatic plants; and crops and trees or waste materials capable of decomposition that are produced from the raising of plants and animals during agricultural operations, including animal manures, bedding, plant stalks, hulls, and vegeta**ti**ve**le** matter planted for energy production.

College. A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion/**competency** in business or technical fields.

Community or Community Uses. Uses that provide **a**-public services for the benefit of the community in which they are located. Usually furnished by the government or institution but which may also be provided by private and / or nonprofit enterprises.

Event venue. The commercial use of land, structures and buildings established at a permanent location where people **assembly** to take part in entertainment, educational, cultural, organizational, ceremonial, and / or celebratory events, open to the public or private parties for use, and usually operated in exchange for remuneration. This use is separate from the use “agritourism” which has separate standards establish by the VA Code.

Family day home. A child day program offered in the residence of the provider or the home of any of the children in care for one through **twelve 12** children under the age of **thirteen 13**, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation. Family day homes serving six through **twelve 12** children, exclusive of the provider's own children and any children who reside in the home, shall be licensed by the State. However, no family

day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered by the State. However, a family day home where the children in care are all grandchildren of the provider shall not be required to be licensed. A family day home serving one through five children, exclusive of the provider's own children and any children who reside in the home shall be considered as residential occupancy by a single family have no conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed upon such a home. Each district may further restrict this use by size. Size denotes the number of people.

Hunting, commercial. A business use that captures catches or harvests wildlife for profit or provides an opportunity and hunting experience, ~~to others to catch wildlife.~~ This use includes any land, structures, buildings and equipment directly related and essential to the function of this uses such as, but not limited to, any stands, blinds, administrative office and equipment storage, but shall not include lodging. This shall not include processing of wildlife. Although other agencies may consider field dressing of wildlife to be processing, for the purpose of the NZC only, field dressing of wildlife shall not be considered processing.

Industrial services. Businesses in which goods are generally mass produced from raw materials on a large scale through use of an assembly line or similar process, usually for sale to wholesalers or for other industrial or manufacturing uses.

Licensed farm winery, limited brewery and limited distillery. A small scale winery, brewery or distillery located on property within the agricultural zoning district and specifically licensed by the Commonwealth of Virginia as a farm winery, limited brewery or limited distillery. This use shall not include restaurants, but may include tastings activities as permitted the Commonwealth of Virginia. Other uses such as but not limited to event venues, restaurants and agritourism that may be associated with a licensed farm winery, limited brewery and limited distillery, shall be regulated as separate uses.

Livestock. All domestic or domesticated poultry, bovine animals, e.g. cows, equine animals, e.g. horses, ovine animals, e.g. sheep, porcine animals, e.g. pigs, cervidae animals, e.g. deer, animals of the genus Lama, enclosed rabbits or hares raised for human food or fiber, or any other individual animal specifically raised for food or fiber, except companion animals.

Retail food and beverage production. Any establishment that stores, prepares and / or packages, but does not serve, foods or beverages for retail sale for consumption off-premises, ~~either immediately or with further preparation.~~

Uses similar to. A use that has the same characteristics as the specifically cited uses in terms of the following: trip generation and type of traffic, parking and circulation, utility demands, environmental impacts, and physical space needs, ~~and clientele.~~

The Commission reviewed specific map requests and made the following recommendations highlighted in yellow.

(#6) Nathan Tyler - Request to be R-1 – Tax Map 84-A-139A. This parcel contains 40.5 acres, is currently zoned ES-CDRR and proposed to be Agriculture. The current use is agriculture. The surrounding proposed zoning consists of R-1, Hamlet and AG. Preliminary plat approval has been given for Phase II of Woodland Meadows subdivision (2008). *Staff comment: With the preliminary plat approval and location close to Cheriton, staff has no objection to this request.* **PC Recommendation: Change to R-1**



(#12) Lloyd Thatcher - Opposed to rezoning - Tax Map 38A1-1-193. This parcel contains 0.77 acres, is currently zoned ES-RVR and is proposed to be R-1. The property is located in the Vaucluse subdivision. Current use of the parcel is residential. Surrounding zoning consists entirely of R-1. *Staff comment: Recommend leave as R-1.* **PC Recommendation: Leave as R-1**



(#20) Denard Sapdy & Dora Wilkins Request to be R – Tax Map 112-A-39. Parcel contains approx. 26.96 acres, is currently zoned A/RB and is proposed to be Agriculture. Adjacent proposed zoning consists of R-3 to the north, R-1 to the east and Agriculture to the south and west. The current use of this parcel is agriculture. Not suitable as a part of this process. *Staff comment: May be suitable in the future as an individual rezoning request for a specific project or development.* **PC Recommendation: Change to R-3**



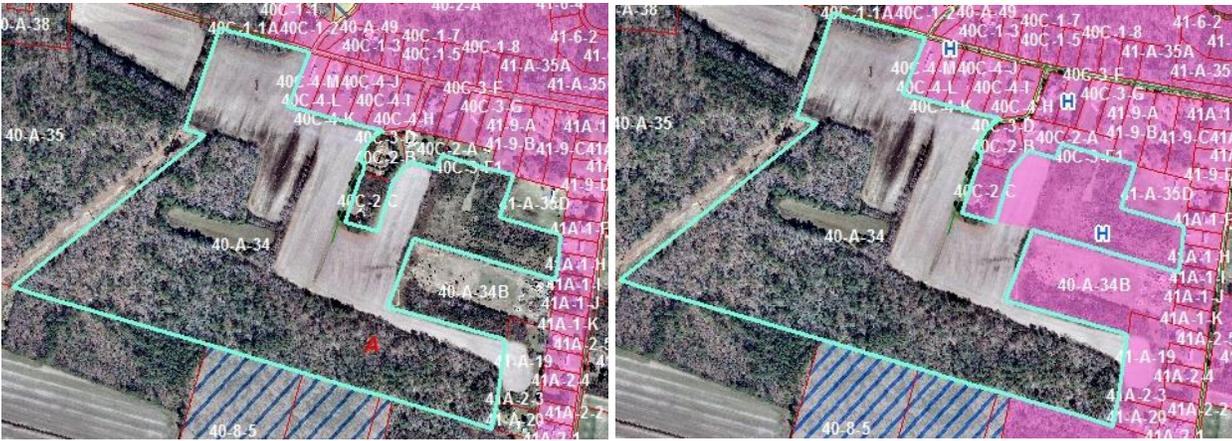
(#22) Shelton Alley Request to be R-5 – Tax Map 99-4-1,2,3,4,5,6,7,7A and A. All parcels are currently zoned ES-A1 and are proposed to be zoned Agriculture with the coastal edge zoned Conservation. All parcels are currently in the Milford AFD which is up for renewal in 2019. *Staff comment: Recommend these parcels remain AG as proposed. Current map is on top and proposed is below.* **PC Recommendation: Leave as AG**



(#23) CA Turner, Claudia Bagwell & Whitaker Turner - Request to be R-1 – Tax Map 112-A-75. Parcel contains 2 acres. Comment is specific to parcel 112-A-75 but also is requesting additional parcels on Lucille’s Lane be rezoned to R-1 instead of R-3. Parcels currently zoned ES-RVR and are proposed to be R-3. *Staff comment: With the change of Kiptopeke Hamlet from Hamlet to R-1 adjacent to the north of this area, staff would support this request.* **PC Recommendation: Change all parcels to R-1**



(#24) Robert & Shirley Scott- Request to be AG – Tax Map 40-A-34. Parcel contains 67.82 acres, 8.77 of which are proposed to be Hamlet. The current zoning is A/RB and the proposed is Agriculture less the 8.77 acres. *Staff comment: No objection to request.* **PC Recommendation: Change to AG**



(#25) Elizabeth Long - Request to be AG – Tax Map 14-A-26C. Parcel is currently zoned A/RB and is proposed to be R-5. There are no improvements on the parcel. *Staff comment: No objection to request.* **PC Recommendation: Change to AG**



(#26) Devlin Barrett - Request to be AG and not Commercial – Tax Map 40-A-21. Parcel contains 63.92 acres and is currently zoned A/RB. It is proposed to be Ag with approximately 17 acres proposed to be Commercial. *Staff comment: No objection to request.* **PC Recommendation: Change to AG**



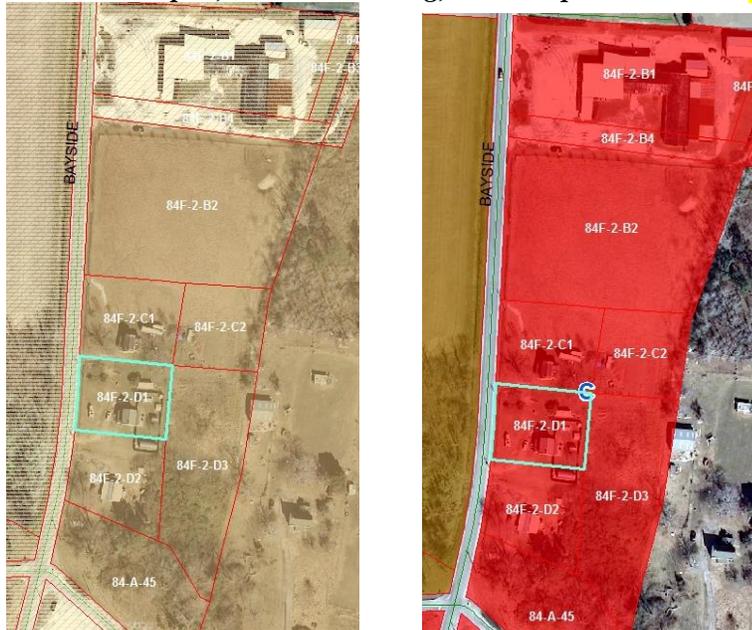
(#37) M.R. Hoagland, III - Request to be AG – Tax Map 2-A-19. Parcel contains 3.3 acres, is currently zoned Agriculture and proposed to be R-3. Surrounding proposed zoning consists of Ag and R-3. *Staff comment: No objection to the request. Adjacent parcels have also requested to remain Ag.* **PC Recommendation: Leave as R-3**



(#43) Ruth Meyers - Retain A/RB for Tax Map 18-5-A1 and B1 and 18-A-18. Parcels contain 1.7, 2.4 and 1.9 acres respectively. Current zoning is A/RB and proposed zoning is R-3. Surrounding proposed zoning consists entirely of R-3. *Staff comment: Leave as R-3.* **PC Recommendation: Leave as R-3**



(#45) Bill Scalley - Request to be TE. Tax Map 84F-2-D1. Parcel contains 0.45 acres, is currently zoned TE-1 and proposed to be Commercial. Surrounding zoning consists of Commercial and Town Edge. *Staff comment: Recommend leave as proposed. If the Board wants to change it to TE, they should change the whole block up to, but not including, Northampton Growers.* **PC Recommendation: Leave as C**



(#48) Louis Rock - Request to be AG – Tax Map 85-A-60. Parcel contains 41.57 acres and is currently split zoned with portions of it designated as A/RB and EI. The proposed zoning is also split with Industrial and R-3. Surrounding proposed zoning consists of R-3 and Agriculture. The comment is specific to the area south of the Industrial portion which is currently under cultivation. *Staff comment: No objection to the request.* **PC Recommendation: Change southern portion to AG**



(#49) Claudia & Frank Dorsch - Object to zoning at intersection of Rt. 13 and Birdsnest Dr. – Tax Map 30-A-85 and 84. Parcels contains 3.63 and 0.17 acres respectively and are currently zoned A/RB. Both parcels were proposed to be Hamlet at the March 11, 2014 public hearing. Surrounding zoning consists of Hamlet. *Staff comment: A specific request was submitted by the property owner to rezone both parcels as well as 30-A-86 to Commercial. The Board changed all three parcels to commercial as part of their review.* **PC Recommendation: Leave as C**



(#51) Charles & Bettve Smith - Request to be AG – Tax Map 15B-A-3. Parcel contains 17 acres, is currently zoned A/RB and proposed to be split zoned with the house and yard as R-3 and the remainder as Agriculture. Surrounding proposed zoning consists of R-3 and Agriculture. *Staff comment: No objection to request.* **PC Recommendation: Change to AG**



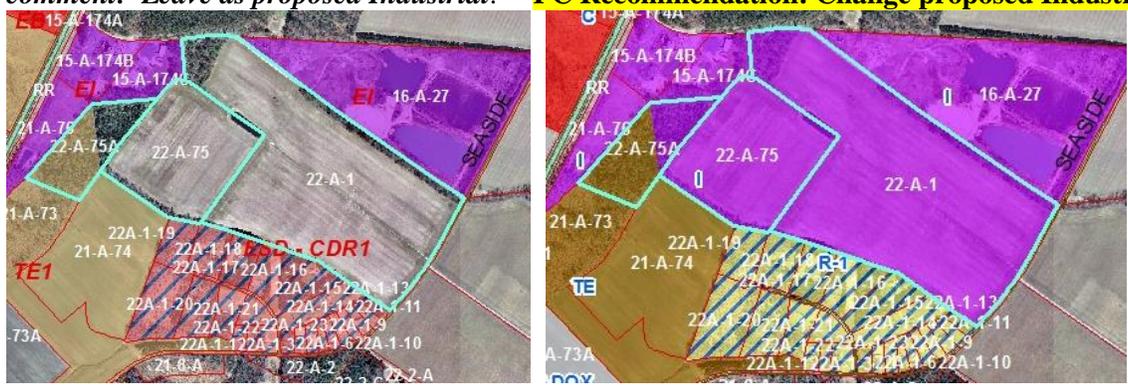
(#53) Janet Sturgis - Request to be AG - Tax Map 14-A-36, 37A and 14B-1-5. Parcels contain 2.94, 0.8 and 10.48 acres respectively. They are currently zoned A/RB and are proposed to be R-5. Surrounding zoning consists of R-5 and Agriculture. *Staff comment: No objection to request.* **PC Recommendation: Change to AG**



(#54) Leo Kellam - Request to be AG - Tax Map 15-A-88, 15-10-6 and 15-10-5. Parcels contain 1.89, 1.36 and 2.96 acres respectively. They are currently zoned A/RB and are proposed to be R-3. Surrounding zoning consists of R-3 and Agriculture. *Staff comment: Leave as R-3.* **PC Recommendation: Change entire block to AG, including 15B-A-3A**



(#56,57) Polk & Roberta Kellam Opposed to Industrial zoning. Tax Map 22-A-75, 22-A-1 and part of 22-A-75A. Parcels contain 24.21, 66.46, and 4 acres respectively. All parcels are currently zoned A/RB with half of parcel 22-A-75A zoned TE-1. They are all proposed to be Industrial and the TE-1 portion of lot 75A proposed as Town Edge. Surrounding zoning consists of R-1, Town Edge, Agriculture and Industrial. *Staff comment: Leave as proposed Industrial.* **PC Recommendation: Change proposed Industrial to AG**



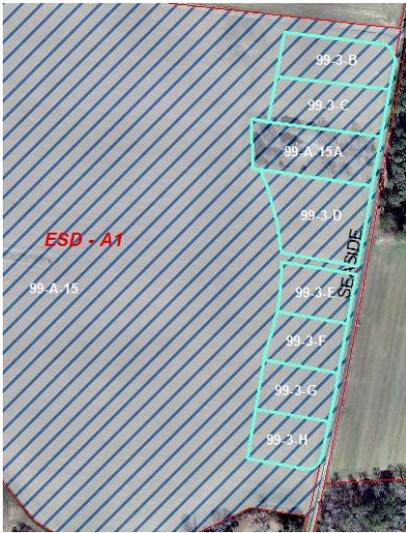
(#66,67,68) Mychelle & Timothy Holloway Opposed to rezoing to R-3 Request to remain Ag. Tax Map 2-1-C, 2-4-A2, 2-1-B, 2-4-A, and 2-1-A. Parcels contain 2.85, 3.67, 3.36, 5.11 and 3 acres, respectively. These parcels are currently zoned A/RB and are proposed to be R-3. Surrounding zoning consists of Agriculture. *Staff comment: No objection to request. If the Board changes the zoning to Ag, staff would recommend changing 2-4-A1 to Ag as well.* **PC Recommendation: Leave as R-3**



(#65) Hank Bowen – Front Setback for WW should remain 10 feet. The current setback is 60 ft. or prevailing or 10 ft. for water dependent uses only. The proposed setback is prevailing or 30 ft. *Staff comment: Recommend adding the 10 foot setback for water dependent uses only in addition to the proposed 30 ft. or Prevailing front setback.* **PC Recommendation: Add additional 10 ft. front setback for water dependent uses only**

Motion was made by Commissioner Chatmon to go past 10 pm and with a second from Commissioner Ward, the Commission agreed to continue working past 10 pm. The Commission reviewed additional requests made after the public hearing and made the following recommendation below.

Request by Chuck Tankard – Request AG for parcels 99-3-B, C, D, R, F, G, H and 99-A-15A. Request came in after the public hearing. Current zoning is ES-A1 and proposed to be R-3. **PC Recommendation: Change to AG**



A motion was made by Commissioner Chatmon to adjourn until the December 1, 2015 regular meeting. With a second from Commissioner Ward the meeting was adjourned.

Chairman

Secretary