

# LANCASTER COUNTY PLANNING COMMISSION

## Minutes

July 16, 2009

The regularly scheduled meeting of the Lancaster County Planning Commission was called to order at 7:00 p.m. in the General District Courtroom of the Lancaster County Courthouse, Lancaster, Virginia.

Present were David Jones, Chairman, Tara Booth, Steve Sorensen, Robert Smart, and David Chupp.

Also present were Butch Jenkins, Board of Supervisors Representative, Don Gill, Planning/Land Use Director, Audrey Thomasson, Rappahannock Record, Charles Costello and others.

Mr. Jones asked if there were any corrections or additions to the minutes of the June 18, 2009 regular meeting.

Mr. Jones moved to approve the June 18, 2009 minutes as submitted. **VOTE: 5-0.**

### DISCUSSION ITEM #1

#### REVISED DEFINITION OF WINDMILL

Mr. Gill stated that the discussion at last month's Planning Commission meeting determined that the first step in the windmill/wind turbine issue was to define "windmill". Mr. Gill stated that changes to the definition provided at last month's meeting were recommended. Mr. Gill read the revised definition of a windmill, which is "*a small, latticework mill or machine operated by the wind, usually acting on oblique vanes or sails that radiate from a horizontal shaft, serving a single function as a dedicated energy source for a wind-driven water pump or electric generator, primarily on farms. Windmills taller than 35 feet require a special exception from the Board of Supervisors.*"

Mr. Jones stated that he liked the "single function as a dedicated energy source" wording.

Mr. Smart asked Mr. Gill if that definition prohibited tying into the grid and selling excess energy.

Mr. Gill stated yes.

Mr. Gill stated that the issue has to go to public hearing at the Planning Commission level and the Board of Supervisors level because it constitutes an amendment to the Zoning Ordinance.

Mr. Jones made a motion to forward the definition of a windmill to public hearing at next month's Planning Commission meeting. **VOTE: 5-0.**

## **DISCUSSION ITEM #2**

### **REVISED PERMITTED USES IN THE C-1 AND C-2 ZONING DISTRICTS**

Mr. Gill stated that the discussion at last month's meeting suggested a few changes to the permitted uses in the C-1, Commercial and the C-2, Commercial, Limited zoning districts. Mr. Gill stated that the changes to C-1 have been made, which include removing the special exception from post offices in Section 8-1-31, adding "pet store" in Section 8-1-36 and deleting Section 8-1-37, which was a duplicated church permitted use.

Mr. Gill stated that in C-2, post offices were added as a permitted use in Section 8A-1 and deleted from Section 8A-1-7 where a special exception was required. He further stated that in Sections 8A-1-1, 8A-1-2, and 8A-1-3, the 2,000 square footage limitation was eliminated and in Section 8A-1-8, the 5,000 square footage limitation was eliminated.

Mr. Jenkins asked about outside dog runs being included in the square footage.

Mr. Gill stated no, because the wording indicates "structures to be erected".

Mr. Chupp referred to Section 8-3 "Setback Regulations" in C-1. He stated that he didn't understand the fifteen feet setback from the right-of-way in C-1 as compared to the sixty feet setback from the right-of-way in C-2.

Mr. Jones stated that the premise of C-1 having the lesser setback requirement is that these properties would be better closer together and not take up as much space. He also stated that the C-2 District is supposed to be less intensive because of the possibility of nearby residences near commercial businesses.

Mr. Gill stated that most C-1 properties are located adjacent to or near town or village limits. He also stated that any unimproved C-1 or C-2 properties that are located on the major corridors in the county, Route 3, Route 200, and Route 354, are also subject to the one hundred-fifty feet setback required by the highway corridor overlay district. He further stated that the three incorporated towns have their own zoning ordinances.

Mr. Jones stated that in the town limits, where there are commercial districts, the property owner could build right up to the edge of the right-of-way.

Mr. Smart stated that he was satisfied with how the ordinance was and he thought that most property owners would not want to build up to the fifteen-foot setback because they would want to have parking in front and be away from the road noise.

Mrs. Booth stated that she was satisfied with the ordinance.

Mr. Jones made a motion to forward the revised permitted uses of the C-1 and C-2 Zoning Districts to public hearing next month. **VOTE: 5-0.**

### **OTHER BUSINESS**

Mr. Gill stated that there might be two possible rezonings for next month's meeting. He further stated that the permitted uses in the M-1, Industrial Zoning District would be reviewed by the Planning Commission next month as well.

Mr. Jenkins stated that the bids were opened earlier in the week for the new courthouse and that the low bid was 3.9 million dollars.

### **ADJOURNMENT**

The July 16, 2009 regular meeting of the Lancaster County Planning Commission was adjourned at 7:20 p.m.