

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-FOURTH OF
SEPTEMBER IN THE YEAR TWO THOUSAND AND TWENTY-FOUR**

CALL TO ORDER

Bobby Bowser, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on September 24, 2024, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Commissioner Gibbs delivered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Bowser invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Bobby Bowser, Chairman
Brian Carroll
Cynthia Taylor
James Ford
Jennifer S. Boykin
George Rawls
Rick Sienkiewicz (late)
Raynard Gibbs
Matthew Smith

ABSENT

Thomas J. Distefano, Vice-Chairman

A quorum was determined

ALSO IN ATTENDANCE

Amy Ring, Community Development Director
Bobby Jones, County Attorney
Don Robertson, Assistant County Administrator
Sandy Robinson, Planner II
Caleb Kitchen, Planner I
Amanda Landrus, Secretary

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Bowser asked if there were any requests to table or withdrawal agenda items. Amy Ring stated there were no requests.

APPROVAL OF AGENDA

Chairman Bowser called for a vote to approve the agenda. Commissioner Ford made the motion to approve the agenda. Commissioner Gibbs seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

There being comments, Chairman Bowser closed the Citizen's Comments.

PUBLIC HEARINGS

Chairman Bowser called for the first public hearing on the following item:

Application (CSUP-24-1) of Anthony Robinette, property owner, for a conditional use permit to establish a religious assembly use on approximately 1.25 acres located at 5293 Old Stage Highway (Rte. 10) on tax parcel 06-01-027 in the Rural Agricultural Conservation zoning district.

Caleb Kitchen, Planner I, gave the following presentation.

A presentation slide with a blue gradient background. The text is white and centered. The title is 'GARAGE MINISTRY' followed by 'CONDITIONAL USE PERMIT REQUEST' and 'CSUP-24-1'. At the bottom, it says 'PLANNING COMMISSION REGULAR MEETING' and 'SEPTEMBER 24, 2024'. There are some white diagonal lines in the bottom right corner.

GARAGE MINISTRY CONDITIONAL USE PERMIT REQUEST CSUP-24-1

PLANNING COMMISSION REGULAR MEETING
SEPTEMBER 24, 2024

SITE DESCRIPTION

- ▶ **Tax Map ID#:** 06-01-027
- ▶ **Location:** 5293 Old Stage Highway (Rte. 10)
- ▶ **Current Zoning:** Rural Agricultural Conservation (RAC)
- ▶ **Election District:** D3
- ▶ **Purpose:** To establish a religious assembly use.

BACKGROUND

- **Existing structure constructed in 1921.**
 - **Moses Alexander House/Cofer's General Store**
 - **Poor condition**
 - **Recommended as not eligible for National Register of Historic Places**
 - **Mobile home removed around 2008**

BACKGROUND CONT.

- The Garage Ministry currently located in Smithfield
 - Construct 30'x60' building for services and programs
 - Approximately 40 seats
 - Meetings typically during the afternoon/evening hours
 - No purpose yet identified for existing Cofer General Store
 - Parcel is within the Highway Corridor Overlay District (HCOD)

CSUP-24-1 Garage Ministry CUP Request - Location Map

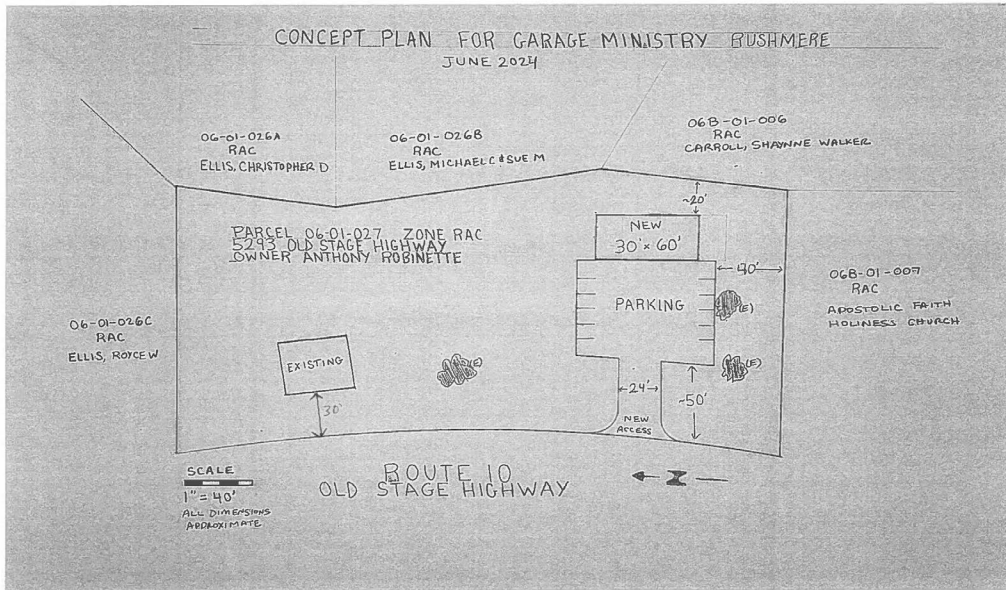


CSUP-24-1 Garage Ministry CUP Request - Zoning Map



CSUP-24-1 Garage Ministry CUP Request - Land Use Map







The Planning Commission and Board of Supervisors shall consider the following criteria before granting a conditional use permit:

- 1) Will not be detrimental to or endanger public health, safety, and general welfare;
- 2) Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
- 3) Adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements will be provided;
- 4) Ingress and egress so designed as to minimize traffic congestion on the public streets;
- 5) Not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
- 6) Shall conform to all other applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and
- 7) Will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

Board may impose additional conditions or limitations on CUPS. Such conditions may include, but are not limited to:

- 1) Number of persons living or working in the immediate area and the proposed hours of operation;
- 2) Traffic conditions, sidewalks, parking facilities, vehicle access, peak period of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
- 3) Orderly growth of the neighborhood and community and the fiscal impact on the County;
- 4) Effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
- 5) Facilities for police, fire protection, sewage, water, trash and garbage collection and disposal, and the ability of the County or persons to supply such services;
- 6) The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
- 7) The structures in the vicinity such as schools, houses or worship, theaters, hospitals, and similar places of public use;
- 8) The purposes set forth in this ordinance, the County's Comprehensive Plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
- 9) The environment impact, the effect on sensitive natural features, and opportunities for recreation and open space; and
- 10) The preservation of cultural and historic resource landmarks.

COMPREHENSIVE PLAN REVIEW

- ▶ **Future Recommended Land Use Designation** for this property is Suburban Estate (SE).
- ▶ **Appropriate uses** for the SE land use designation include single family residences, community facilities, and preserved natural features.
- ▶ **Non-residential uses** may include parks and trails, and community facilities such as schools, churches, libraries.

AGENCY REVIEW

- **Fire Rescue:** Facility would have little to no impacts on calls for service, no concerns.
- **Sheriff's Department:** No concerns
- **Health Department:** Perc site will be required
- **Public Utilities:** None available
- **VDOT:** Moderate volume commercial entrance
- **County Museum:** Close proximity to the Captain John Smith Chesapeake National Historical Trail, Keystone Segment, Historic District; recommends a Phase 1 Cultural Resources Survey

STAFF ANALYSIS

Strengths:

1. The application is generally consistent with the Suburban Estate (SE) future recommended land use designation from the Comprehensive Plan.
2. The proposed use will have minimal impact on County facilities and resources.
3. The project will include the use and preservation of an identified historic structure.

Weaknesses:

1. Approval of the project would result in a multiplicity of similar religious assembly uses in the general neighborhood.

STAFF RECOMMENDATION

Staff recommends approval with the following conditions:

- 1) The Cofer General Store structure shall be stabilized and secured, and preserved for future use prior to issuance of a certificate of occupancy for the new structure.
- 2) A Phase 1 Cultural Resources Study shall be submitted for approval prior to submission of the site plan.
- 3) All noise between the hours of 12:01 a.m. and 7:00 a.m. that is plainly audible at the property line is prohibited.

Chairman Bowser opened the public hearing and invited the applicant to speak.

Anthony Robinette, applicant, 4583 Old Stage Highway, stated his purpose in this application is to grow a better ministry in our community.

Steven Charles, City of Suffolk resident, stated he read a newspaper article about The Garage Ministry and wanted to meet Anthony Robinette. Mr. Charles has since partnered with Mr.

Robinette and helped finance this property. Mr. Charles stated that he has witnessed Mr. Robinette help people through addictions, tragedies and leads them to Jesus. Mr. Charles stated that The Garage Ministry just celebrated fourteen years and went on to say Anthony Robinette travels the country to share his testimony, has written a book and been featured on the 700 Club. Mr. Charles asked for the Planning Commissions favor in approving this application.

Commissioner Carroll read the following letter.

Resident Comment Concerning Planning Commission Agenda Item 9/24

 **Steve Fletcher** <jstevelfletcher@gmail.com>
To  Amanda M. Landrus;  Bobby A. Bowser

  Reply  Reply All  Forward  

Mon 9/23/2024 3:23 PM

 Follow up. Completed on Friday, October 4, 2024.
You forwarded this message on 9/24/2024 8:02 AM.

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Bowser and Ms. Landrus,

I have become aware of an item on the Planning Commission agenda for tomorrow evening concerning The Garage Church LLC's rezoning request on Route 10 in Rushmere. I live in the area, and have a concern about the request with respect to noise.

My understanding is that the noise would be limited only from midnight until 7am. Whenever the wind is from anywhere other than the east, the traffic noise from Route 10 is clear at our home (as are the outdoor services at Gravel Hill Baptist Church, which is further away and on the opposite side of Route 10). As a result, the request to allow live music at The Garage Church between 7am and midnight seems to me to infringe upon my rights to quiet enjoyment of my property, and I would appreciate the Planning Commission considering limiting the noise for a longer period - perhaps from 9pm to 9am.

Thank you in advance for your consideration of my concern.

John **Fletcher**
14456 W Shore Circle, Smithfield

Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Carroll asked the applicant if he would be able to meet the requirement to stabilize the store.

Mr. Robinette stated that when the property was purchased, it was discussed whether that building would be fixed or torn down. Mr. Robinette stated the popular opinion was to tear down the building, but he thought it could be saved. Mr. Robinette added that it will take a little more effort, but it reminded him of his ministry, there are some people that take a little more effort and time but worth saving. Mr. Robinette stated he wants that building to be an example of his ministry and his purpose to build a community.

Commissioner Gibbs stated that he had a concern with the hours of operation condition, but since the applicant is okay with the proposed time noise restrictions, he was okay with the time.

Commissioner Boykins asked if the other churches in the area are bound to these time restrictions.

Mr. Kitchen stated that the other churches are not bound by the same restrictions, because the noise ordinance excludes churches.

Chairman Bowser asked why that structure was being required to be fixed, when it was once used as a single-family dwelling when others have been allowed to be demolished.

Mr. Kitchen stated the County does not have a dedicated budget to preserve historical structures and relies on the applicant and applications like this one to take advantage of opportunities where there is a want to save the structure.

Amy Ring stated the idea was given to staff by the applicant to preserve the structure. Ms. Ring stated that County staff is more aware of its architectural and historical resources and is making a proactive effort in application review to look for these resources on a site.

Chairman Bowser asked if the county is willing to put forth money to the repair.

Ms. Ring stated at this time it is privately funded.

Commissioner Boykin stated that she felt it unfair to the applicant to hold the certificate of occupancy until the repair of the building has been completed. Ms. Boykin stated that what if the repairs were not going to be completed until years later.

Ms. Ring stated that the conditions can be revised, or the applicant can ask to amend the conditions at a later date if the repair begins and is unable to complete.

Commissioner Smith asked why we are imposing stricter requirements on a nonprofit church and asked if we are setting a precedent.

Commissioner Ford asked what if another similar application for a similar use type comes in with opposing hours, how will that be handled. He also asked what the future plan is for the building, if it is able to be saved.

Mr. Robinette stated he believes it will be the perfect spot for his men's ministry to meet or as a food pantry. The outside would retain the historic look of the store. Mr. Robinette stated the inside of the structure is in good shape, and he was able to go upstairs. Mr. Robinette stated he had learned that there was a home church there in the seventies.

Commissioner Ford stated that he believes in equity and fairness and believes that the condition regarding the noise should match the ordinance.

Ms. Ring stated that staff would like to clarify that the conditions were not meant to be discriminatory. This is a new proposed use going into an existing neighborhood with adjacent neighbors, and the recommended conditions were to protect existing uses and existing resources.

Commissioner Ford asked if the County has received any complaints on the church services mentioned in Mr. Fletcher's letter.

Ms. Ring stated no complaints have been received about the services mentioned in the letter. Ms. Ring added that this is the first new use proposed in this area in quite some time.

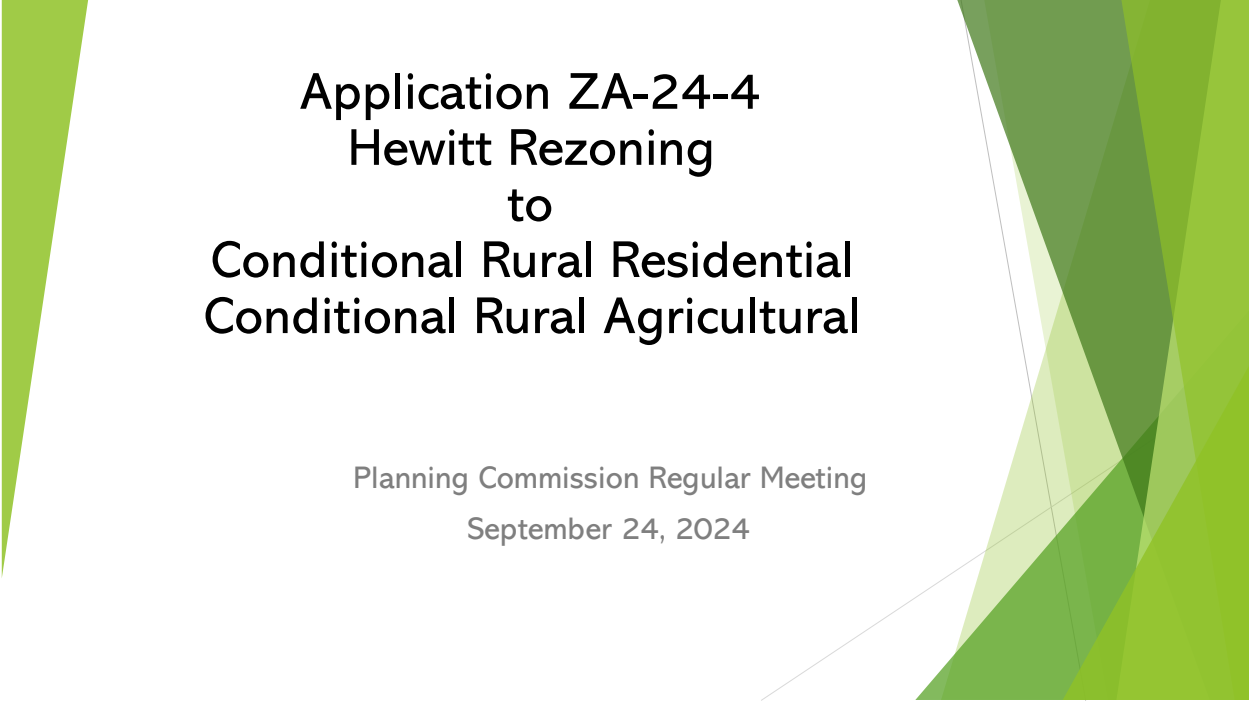
Commissioner Carroll made the motion to send this application to the Board of Supervisors with the recommendation of approval and only keeping condition number two. Commissioner Boykin seconded the motion. The motion was adopted with Commissioners Boykin, Ford, Rawls, Taylor, Gibbs, Smith, Carroll and Bowser voting in favor, no Commissioners voting against, and Commissioner Sienkiewicz abstained. (8-0-1)

The motion passed, and the item will go to the Board of Supervisor's October 17, 2027, meeting.

Chairman Bowser called for the next public hearing item.

Application (REZN-24-4) of Christopher and Jessica Hewitt, owners, for a change in zoning classification from Rural Agricultural Conservation (RAC) to Conditional-Rural Residential (C-RR) of 3.19 acres and to Conditional-Rural Agricultural Conservation (C-RAC) of the remainder of 34.9 acres. The application includes a proffer for no further subdivision of the new lot or remainder.

Sandy Robinson, Planner II, gave the following presentation.



Application ZA-24-4 Hewitt Rezoning to Conditional Rural Residential Conditional Rural Agricultural

Planning Commission Regular Meeting
September 24, 2024

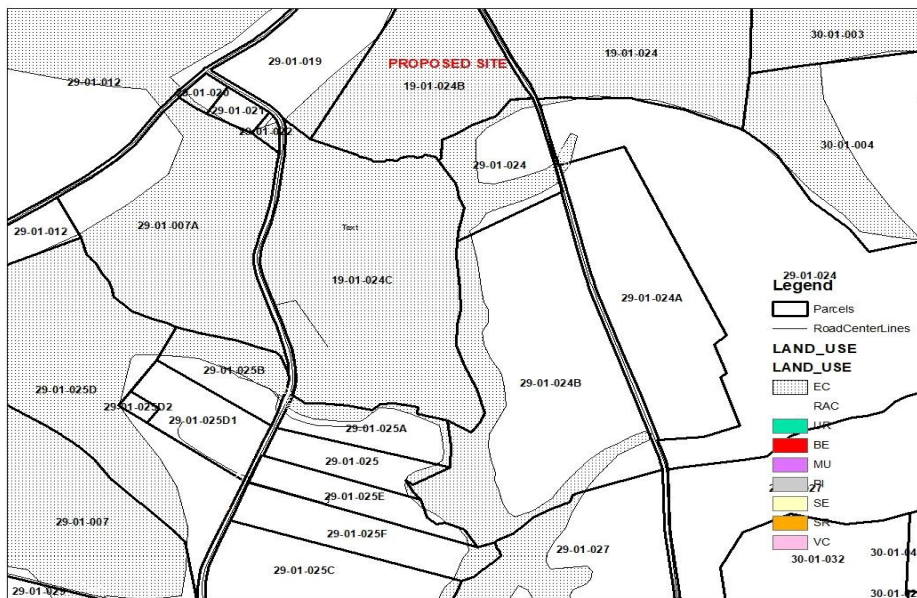
Site Description

- ▶ Tax Map ID#: 19-01-024B
- ▶ Location: Harry Wilson Road (Rt. 652)
- ▶ Current Zoning: RAC
- ▶ Election District: D3
- ▶ Request: To rezone 3.19 acres to C-RR and the remaining 34.9 acres to C-RAC

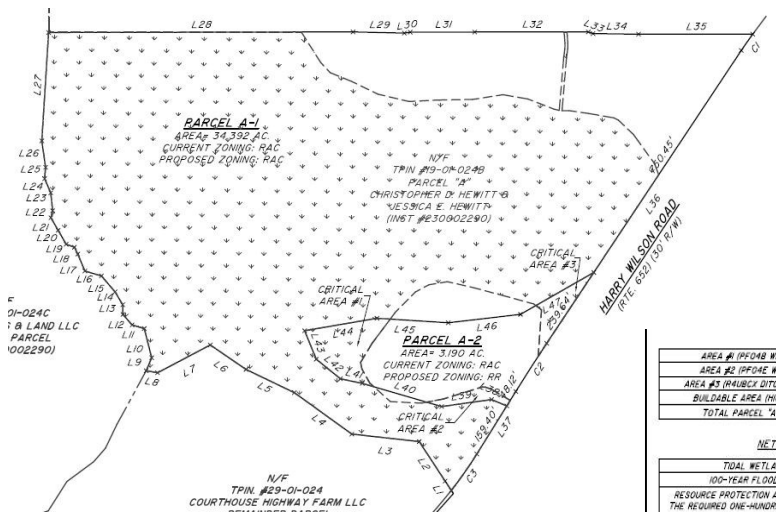
Background

- ▶ Rezoning is to accommodate one single-family residential lot on 3.190 acres and proffers no subdivision of the remaining acreage
- ▶ Parcel created in 2023 by Timbervest Partners as an agricultural, horticultural, or silvicultural parcel which is a division of agricultural, horticultural or silvicultural land of ten acres or larger.
- ▶ Residential development requires residential zoning pursuant to Section 3.2.3.C of the Subdivision Ordinance.
- ▶ Proposed zoning to C-RR and C-RAC are consistent with the future Recommended Land Use Map.
- ▶ Request meets the minimum requirements of the RR and RAC zoning district.
- ▶ Proposed new lot does not contain a special flood zone designation.
- ▶ Land is in the Chesapeake Bay Preservation Area Overlay District but there is no Resource Protection Area or 100-foot buffer.
- ▶ Subdivision plat approval showing the wetlands delineation and the net developable area calculations will be required following rezoning approval.

Land Use Map



Exhibit



<u>CRITICAL AREA TABLE</u>	
AREA #1 (PFO4B WETLANDS)	24,456 SQ.FT. OR 0.561 AC.
AREA #2 (PFO4E WETLANDS)	5,943 SQ.FT. OR 0.136 AC.
AREA #3 (H4UBCX DITCH WETLANDS)	1,996 SQ.FT. OR 0.027 AC.
BUILDABLE AREA (HIGH GROUND)	107,354 SQ.FT. OR 2.465 AC.
TOTAL PARCEL "A-B" AREA	138,949 SQ.FT. OR 3.190 AC.

<u>NET DEVELOPABLE AREA CALCULATIONS</u>	
TOTAL WETLANDS	$0.4 \text{ C} \times 100\% = 0.4 \text{ C}$
100-YEAR FLOODPLAINS	$0.4 \text{ C} \times 100\% = 0.4 \text{ C}$
RESOURCE PROTECTION AREAS INCLUDING THE REQUIRED ONE-HUNDRED-FOOT BUFFER	$0.4 \text{ C} \times 100\% = 0.4 \text{ C}$
NON-TIDAL WETLANDS	$0.948 \text{ A} \times 50\% = 0.474 \text{ A}$
SLOPES > 15% BUT < 30%	$0.4 \text{ C} \times 50\% = 0.4 \text{ C}$
SLOPES > 30%	$0.4 \text{ C} \times 100\% = 0.4 \text{ C}$
NET DEVELOPABLE AREA	$3.90 \text{ AC} - 0.474 \text{ AC} = 2.716$

Pic



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Agency Review

- ▶ The following departments have no concerns with the rezoning application as presented:
 - ▶ General Services
 - ▶ Fire and Rescue
 - ▶ Environmental Planner
 - ▶ Virginia Department of Transportation
 - ▶ AOSE (Adams Septic Evaluation and Design)
 - ▶ Virginia Department of Environmental Quality
 - ▶ County Attorney

Staff Analysis

Strengths:

- ▶ The application is compatible with existing land uses in the vicinity and within the guidelines of the Future Recommended Land Use Designation.

Weakness:

- ▶ The new lot will be taken from a subdivision formerly approved as an agricultural exemption lot that are exempt from subdivision plat requirements, however, the applicant did submit a wetlands delineation and demonstrated sufficient buildable area outside of any environmentally sensitive area.

Staff Recommendation

Based on the information submitted, staff recommends approval of the rezoning application.

Chairman Bowser opened the public hearing and invited the applicant to speak.

Jessica Hewitt, applicant, 227 James Street, Smithfield, stated she is committed to this community and hopes to build on this property.

There being no other comments, Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Carroll stated this was one of the last dirt public roads in the County and hopes to see it paved soon. Commissioner Carroll asked if the right-of-way is large enough to pave.

Ms. Robinson stated it had been rocked in place, and to her knowledge the right-of-way is large enough to pave the road in the future.

Commissioner Gibbs made the motion to send this application to the Board of Supervisors with the recommendation of approval. Commissioner Smith seconded the motion. The motion was adopted with Commissioners Boykin, Ford, Rawls, Taylor, Sienkiewicz, Gibbs, Smith, Carroll and Bowser voting in favor, no Commissioners voting against.

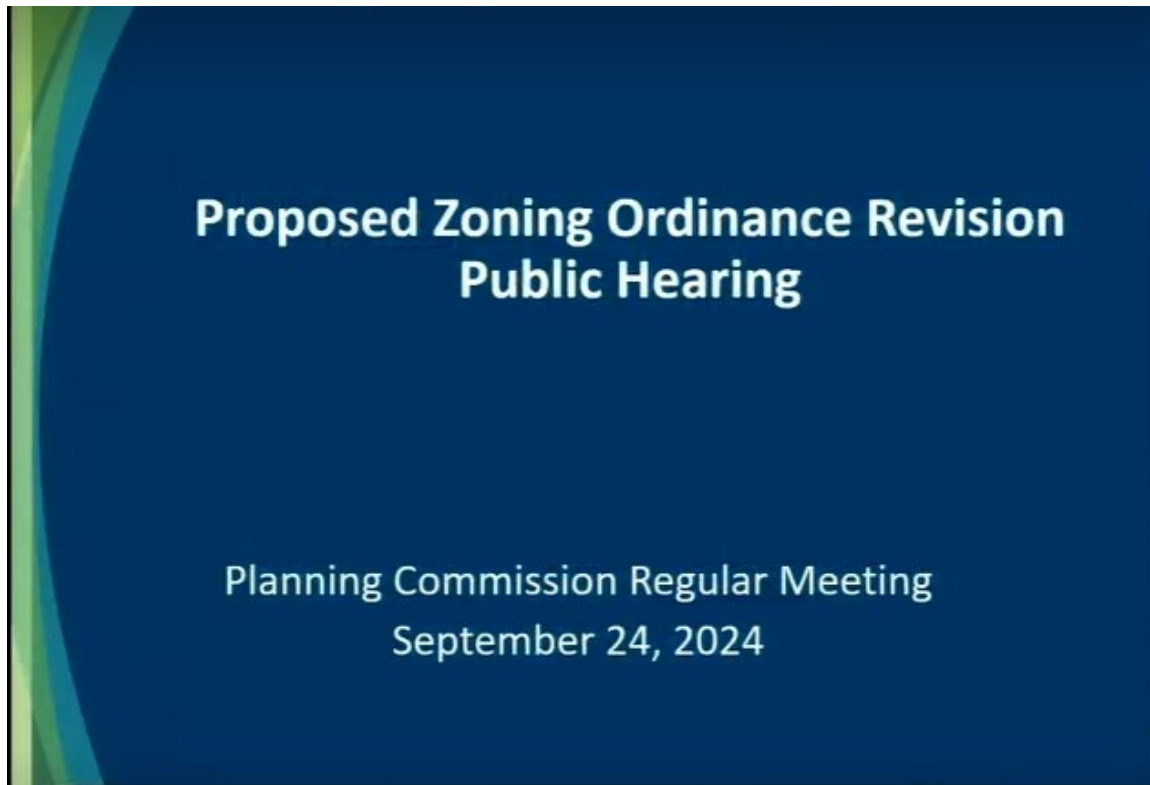
The motion passed unanimously, and the item will go to the Board of Supervisor's October 17, 2024, meeting.

Chairman Bowser called for the next public hearing item.

An ordinance to amend the following sections of Appendix B. Zoning: Article V (Supplementary Use Regulations), Section 5-5002.L, "Recreational Vehicles (RVs) and

Watercraft,” to allow the use of RVs for temporary residential use under certain conditions, Section 5-5001.K, “Wayside Stands,” to reduce the front yard setback requirements subject to height and sight triangle requirements, and Section 5-5002.A, “Accessory Apartments,” to allow stand-alone accessory dwelling units subject to size and height requirements.

Amy Ring, Community Development Director, gave the following presentation.



Background

Planning Commission directed staff to advertise the proposed changes to Recreational Vehicle (RV), Wayside Stand, and Accessory Apartment requirements for their September 24, 2024, regular meeting.

Proposed Recreational Vehicle Regulations

Staff revised draft regulations based feedback from discussion on June 27, 2024, regular meeting.

- Clarified that private camping is limited to the use by the property owner of one (1) recreation
- Defined the term “Utilities” to include a connection to a private well, public water line, public wastewater system or septic system
- Added the property owner is responsible for providing documentation of disposal at a permitted dump station to include receipts and dates of service by an authorized facility.
- Added “except during times of severe weather” after tie down prohibition.

Wayside Stands

Sec. 5-5001. - Supplementary use regulations for agricultural use types.

K. Wayside stand. A structure may be permitted for the display and sale of agricultural and fishery products grown and produced on premises subject to the following standards:

1. A zoning permit is required for first year's operation.
2. A wayside stand structure shall not exceed seven hundred fifty (750) square feet in floor area and ten (10) feet in height and must be in compliance with the applicable standards of the Virginia Uniform Statewide Building Code.
3. All structures shall ~~meet the minimum yard setback requirements of the underlying zoning district~~ be located outside of the required 25 foot sight triangle formed by the intersection of the driveway and the public or street rights-of-way in accordance with Section 5-2000.O. It shall be located so as to provide safe ingress and egress from public or street rights-of-way.
4. All wayside stands and related structures shall be considered seasonal or temporary in nature.

Accessory Apartments

Section 5-5002.A

- An accessory apartment may be located either in a primary dwelling unit or as a separate accessory building or as part of an accessory structure on the same lot or parcel as the primary dwelling.
- The maximum floor area of an accessory apartment in a primary dwelling shall not exceed one thousand (1,000) square feet or thirty-five percent (35%) of the living area of the primary dwelling, excluding garages, breezeways, etc., whichever is less. The maximum floor area of an accessory dwelling or an accessory apartment in an accessory building shall not exceed fifty percent (50%) of the floor area of the principal dwelling or one thousand (1,000) square feet, whichever is less.

Chairman Bowser opened the public hearing and invited anyone to speak for or against the application.

There being no comments, Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Taylor made the motion to send this text amendment to the Board of Supervisors with the recommendation of approval. Commissioner Gibbs seconded the motion. The motion was adopted with Commissioners Boykin, Ford, Rawls, Taylor, Sienkiewicz, Gibbs, Smith, Carroll and Bowser voting in favor, no Commissioners voting against.

The motion passed unanimously, and the item will go to the Board of Supervisor's October 17, 2024, meeting.

OLD BUSINESS

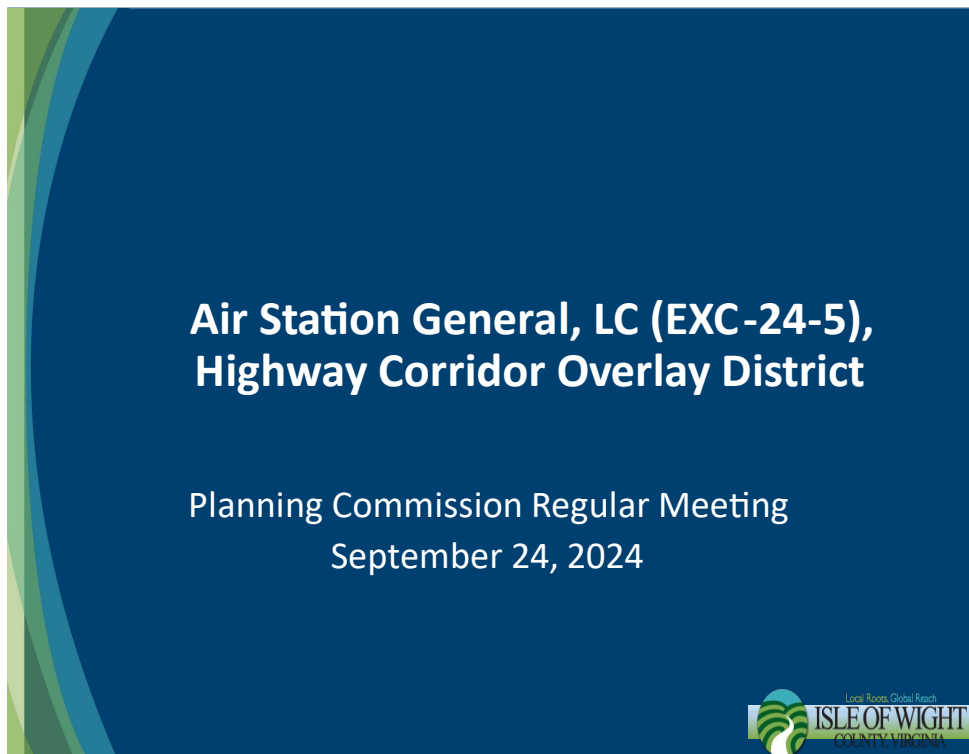
Amy Ring confirmed there are no items for new business.

NEW BUSINESS

Chairman Bowser called for the following New Business item.

Application of Air Station General, LC (EXC-24-5), applicant, for an exception to Section 6-1010.A.2 of the Zoning Ordinance pertaining to the Highway Corridor Overlay District architectural and design guidelines for non-residential uses.

Amy Ring, Community Development Director, gave the following presentation.



Background

The applicant has contracted to purchase the property from the Isle of Wight County Economic Development Authority (EDA) to construct a 240,000 square foot cold storage distribution facility with container storage. The function of the facility for the end cross-dock operator is dependent on the warehouse having substantial dock doors and abundant land area for truck movement and on-site container storage.



Background

The Board previously approved exceptions to the following HCO development criteria on July 13, 2023, for a 130,000 square foot cross-dock warehousing and distribution facility:

1. Section 6-1010.A.5: Not less than sixteen percent (16%) of the total area of any facade visible from a public way (excluding work areas) shall consist of windows and doors;
2. Section 6-1010.A.6.: Large work area doors or open bays shall not open toward or face the highway; and
3. Section 6-1010.B.8.: Loading areas shall be permitted only in the side or rear yards and shall be visually screened from public rights-of-way, and adjacent property using the screening zone standards found in Article VIII.

The previously approved exceptions would still apply to the new facility. A concept plan of the currently proposed cold storage facility is attached for illustrative purposes.



Description

Applicant requests an additional exception to Section 6-1010.A.2 of the architectural and design guidelines of the HCO District that prohibits the use of corrugated metal for exterior facades of non-residential uses, due to the specialized material needed to support the use of a cold storage facility. Due to the need to control the interior temperature of the building, the walls must meet specific requirements to include a light colored, metal exterior wall with insulated foam installed adjacent to the interior wall.



Commissioner Taylor asked if the panels show fasteners.

Kevin Lefcoe, applicant, stated the panels slide together and no fasteners will be visible. Mr. Lefcoe stated this is a 240,000 square foot refrigerator and will support local farmers as well as through the Port of Virginia.

Commissioner Boykin asked for the estimated employee count and truck trips.

Kevin Lefcoe stated that a minimum of two hundred and fifty people will be employed. Mr. Lefcoe stated that the anticipated truck trips is substantially lower than what is allowable by VDOT and is unsure on the exact truck trips because refrigerated products need to be moved quickly.

Commissioner Boykin asked how many companies could use this site.

Mr. Lefcoe stated that due to the unique nature of the interior layout, he is anticipating ten to fifteen users with each user having ten to twenty thousand square feet.

Commissioner Carroll made the motion to send the exception to the Board of Supervisors with the recommendation of approval. Commissioner Ford seconded the motion. The motion was adopted with Commissioners Boykin, Ford, Rawls, Taylor, Sienkiewicz, Gibbs, Smith, Carroll and Bowser voting in favor, no Commissioners voting against. (9-0)

The motion passed unanimously, and the item will go to the Board of Supervisor's October 17, 2024, meeting.

Chairman Bowser called for the next new business item.

Amy Ring stated the proposed 2024 Planning Commission Annual Retreat will be on November 1, 2024, held at the Isle of Wight County Museum. She asked for the Commission to make a motion to set the date, time and location of the special called meeting.

Chairman Bowser called for a vote to approve the time, date and location of the special called meeting for the 2024 Annual Retreat. Commissioner Ford made the motion to approve the agenda. Commissioner Boykin seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

COUNTY ATTORNEY'S REPORT

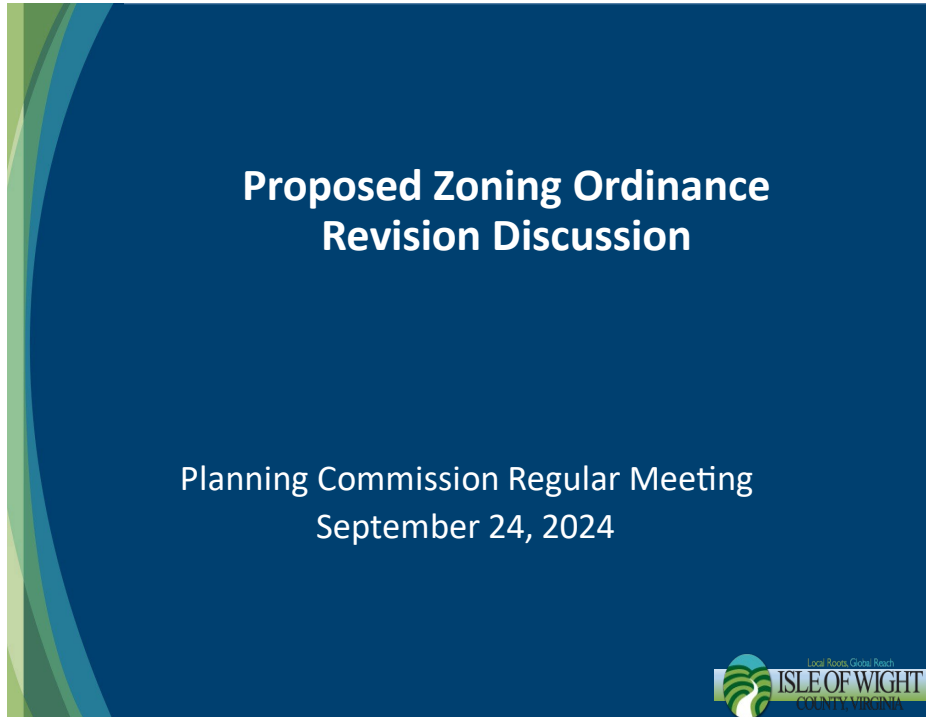
Bobby Jones confirmed there were no items for the County Attorney's Report.

PLANNING DIRECTOR'S REPORT

Commissioner Sienkiewicz announced that he is resigning from the Planning Commission, due to work and family requirements, effective tonight.

Chairman Bowser called for the next item on the Planning Director's Report.

Amy Ring gave the following presentation.



Industrial District Setbacks

For parcels directly adjacent to a residential use or district, the minimum setback shall be 250 feet. Within the required setback, there shall be no development, clearing, grading, or construction activity with the following exceptions:

- a. Roadway or driveway access to the portion of the site not in the minimum residential setback is permitted provided that it is approximately perpendicular to the arterial public right-of-way;
- b. Water, sanitary sewer, storm drainage, electrical, telephone, natural cable, and utility service lines may be installed below the surface of the ground at right angles, provided that the natural vegetation is preserved and protected to the greatest extent practicable, and landscaping requirements are met;
- c. Sidewalks, pedestrian pathways and bicycle paths designed to provide continuous connection along the road corridor may be permitted, provided that they can be constructed without materially reducing the screening and visual softening capacity of the required landscaping;



Industrial District Setbacks

- d. Signs are permitted in accordance with article IX;
- e. Clearing for sight distances is permitted at the entrances and exits to any development as needed to provide for reasonable traffic safety, in accordance with accepted traffic engineering practices recommended or required by the Virginia Department of Transportation;
- f. The trimming of existing limbs or branches of preserved trees is permitted when approved by the zoning administrator;
- g. When, in the opinion of the zoning administrator, the addition of plantings and earthen berms or masonry walls would better achieve the purposes of this district in lieu of the landscaping requirements of the perimeter zone.



Utility Cabinet Setbacks

Sec. 5-2000. - Supplementary density and dimensional regulations.

H. Projections and yard setback modifications.

8. Exemption of yard setback requirements for electrical, water or wastewater utility cabinets. Utility cabinets measuring no more than six feet high and eight feet wide shall be allowed to encroach into required yard setbacks and shall be located outside of any required sight line or sight triangle.



Utility Cabinets



Utility Cabinets



A brief discussion was had on the proposed ordinance changes and agreed that additional revisions are needed to the industrial setback revisions before going to public hearing. The Planning Commission felt that the proposed utility cabinet exception revisions were adequate to be advertised for public hearing, however, they should be advertised together with the industrial setback revisions.

Commissioner Carroll shared his discontent with the Board of Supervisors' recent approval of the Sycamore Cross Solar project. Commissioner Carroll read a statement to the Planning Commission reflecting his thoughts on the matter.

There being no further information to discuss, Chairman Bowser adjourned the meeting at 7:50 PM.

Adopted this 12 day of November, 2024

Bobby Bowser, Chairman, Isle of Wight County Planning Commission

Attest:

Amanda Landrus, Secretary