

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-SECOND DAY OF
OCTOBER 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 October 22, 2024, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Chairman Bowser 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
Thomas J. Distefano, Vice-Chairman
Brian Carroll
Cynthia Taylor
James Ford
Jennifer S. Boykin
George Rawls
Raynard Gibbs

ABSENT

Matthew Smith

A quorum was determined

ALSO IN ATTENDANCE

Amy Ring, Community Development Director
Bobby Jones, County Attorney
Shaunee Beussink, Environmental Planner
Sandy Robinson, Planner II
Trenton Blowe, Planner II
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 Taylor 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.

CONSENT AGENDA

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

CITIZENS' COMMENTS

Chairman Bowser called for citizens' comments.

Lewis Edmonds, 24327 John Henry Street, Windsor, spoke in favor of the proposed industrial setbacks adjacent to residential neighborhoods. Mr. Edmonds is not in favor of the recommendation to change the setback from the property line to the structure. Mr. Edmonds stated that the EDA has a mixed track record, and stated that it is not the Planning Commission's job to protect the EDA.

Dawn Darden, 24406 Lovers Lane, Windsor, stated that she would like to echo what Mr. Edmonds stated and believes that that's how all the community feels.

With there being no further citizen comments, Chairman Bowser closed citizen comments.

PUBLIC HEARINGS

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

Application EXC-24-2 of Jeffrey H. and Paula J. Bolt and Bryan W. and Amanda L. Boyes, property owners, for an after-the-fact exception under the Chesapeake Bay Preservation Area Ordinance for an unauthorized retaining wall with fill in the fifty-foot seaward Resource Protection Area (RPA) buffer at 15407 and 15437 Laurelwood Drive on tax map numbers 34A-01-F006 and 34A-01-F005 as well as a request to place a

swimming pool within the fifty-foot seaward RPA buffer and a replacement shed within the fifty-foot landward RPA buffer on tax map 34A-01-F006

Shaunee Beussink, Environmental Planner, gave the following presentation.

Bolt and Boyes CBPA Exception Request

Application EXC-24-2

Planning Commission Regular Meeting

October 22, 2024

Shaunee Beussink, Environmental Planner

Details

Applicants: Jeffrey H. & Paula J. Bolt (34A-01-F006)
Bryan W. & Amanda L. Boyes (34A-01-F005)

Location: 15407 & 15437 Laurelwood Drive, Carrollton

Tax Map #: 34A-01-F006 and 34A-01-F005

Request: Request is for an exception to allow a retaining wall with fill to remain in the seaward RPA as well as install a pool in the seaward 50-foot RPA and replace a shed in the landward portion of the RPA.

Background

- Homes built in 1967 and in 1980
- The Bolts had permission to install a septic system in the RPA
- Retaining wall built without permits that extended onto neighbor's property, the Boyes
- Seeking after-the-fact exception for the retaining wall & fill extending beyond limits of septic field area
- Total area of disturbance = 1,995 SF including 118-ft retaining wall with approximately 105 cubic yards of fill
- Request includes the addition of an above-ground pool in the 50-foot seaward and to replace an existing shed in the 50-foot landward RPA

Bolt & Boyes Exception Location Maps

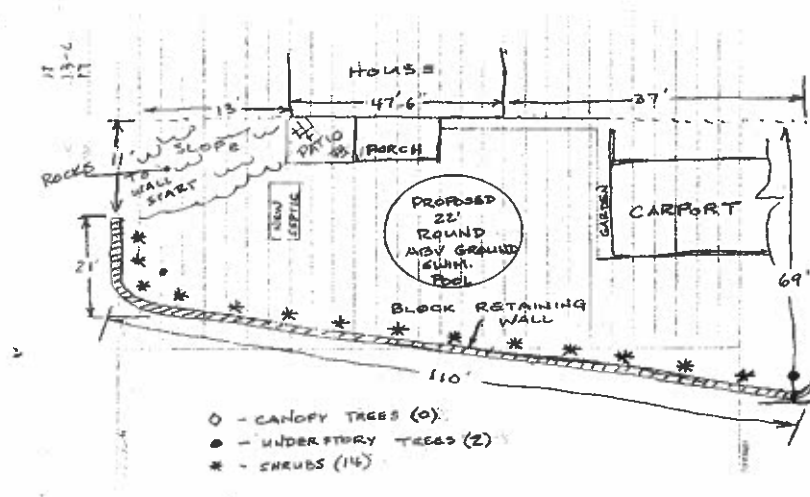


Close-up





Planting Mitigation Plan Proposed by Property owner



Planting Plan

Proposed Mitigation in WQIA

11 canopy trees
32 understory trees
33 shrubs

Mitigation Proposed by Homeowner

0 canopy trees
2 understory trees
14 shrubs

Required Mitigation

Five Planting Units = five canopy Trees
ten understory Trees
fifteen shrubs

Five criteria for granting an Exception: The Planning Commission shall not recommend in favor of the applicant unless it finds:

1. That the strict application of the ordinance would produce an undue hardship and will not confer upon the applicant any special privileges denied by this ordinance to other property owners in the CBPA areas;

- RPA encroachments are similarly restricted on all lots. Therefore, this would not constitute a unique hardship and would grant a special privilege to the applicants.
- A pool and a level backyard is not a hardship as they are not necessary for the principal residential use of the property.

2. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;

The applicant failed to contact the County prior to beginning construction and obtain necessary permits. This is a self-created hardship.

3. The exception request is the minimum necessary to afford relief;

Because the applicant began construction without proper review and permits, it is unknown if this was the minimum necessary to address the erosion.

4. The exception request will be in harmony with the purpose and intent of this ordinance, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality;

- Expansion of the backyard and pool does not meet the purpose or intent of the ordinance to safeguard water quality through protection of existing buffers.
- Retaining wall with fill and the pool are within the fifty -foot seaward buffer and lie within flood hazard zone AE.

5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

If this exception is approved, staff recommends the following conditions:

1. the applicant be required to install the mitigation landscaping as proposed in the WQIA within the RPA,
2. the pool be denied due to flood hazard potential and in accordance with the CBPA Ordinance, and
3. no further exceptions be granted.

Staff Conclusions:

Strengths:

1. Proposed landscaping mitigation exceeds the requirements.

Weaknesses:

1. The applicants' request does not meet the five criteria needed for approval of exceptions.
2. Exceptions for structures are not permitted by Ordinance in the fifty-foot seaward RPA buffer.
3. Structures are proposed in the flood hazard area presenting potential flood damage liability.
4. The retaining wall and fill were done without permits or needed inspections to determine structural integrity. It is not known what, if any, erosion problems existed prior to the property being covered in fill.

Staff Recommendation

- Based on the above findings, staff recommends denial of the exception request.
- If this exception is approved, staff recommends the following conditions:
 1. the applicant be required to install the mitigation landscaping as proposed in the WQIA within the RPA,
 2. the pool be denied due to flood hazard potential and in accordance with the CBPA Ordinance, and
 3. no further exceptions be granted.

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

Jeff Bolt, applicant at 15407 Laurelwood Drive, Carrollton, shared the following talking points and pictures.

How it all began-

1. A new septic tank and field had to be installed.

- The old system had just worn out.
- I was advised to put it in the front yard where it was more dry. (The backyard is lower and tends to hold water for a long time).
- This required a new septic tank that included a pump in order to pump fluid up to the new front yard drain field.
- All the proper permits were acquired, and protocols were followed to the best of my ability.
- Engineer Wendy Odom advised along the way.
- The installation of the new tank resulted in approximately 1/5 of the backyard being turned to a dirt field on a slope.

2. Decision to install a retaining wall:

- Rainwater was creating severe erosion, and I felt something had to be done sooner than later.
- Soil was steadily filling the ravine where the natural spring water ran.
- This situation was during the high point of COVID.
- I hired who I determined to be a qualified individual to install a retaining wall to address the problem.
- *[I want to note here that a conscientious effort was made to stay away from the trickle of water that flows down the ravine. This, so not to impede the water's progress. I also want to note that this ravine is sometimes dry.]*

3. The decision to hire Kelly Lippard:

- I was referred to Kelly Lippard who, I was told, had experience installing retaining walls.
- Kelly told me he was in the process of obtaining his contractor's license.
- Kelly gave me addresses where he had installed similar structures and I checked them out.
- He and I acquired the needed materials.
- I printed out the manufacturer's installation instructions and went over them with Kelly to be sure everything was done to specs. I supervised the effort.
- The wall was installed at 99% complete when I was told by county officials to cease and desist at which time, which I did.
- County inspectors, Mark Drumheller and Jeff Ward later inspected the wall and both said it was good to go.

4. No Permit???

- I was fairly certain a permit was necessary but chose not to pursue one. This, again, due to a sense of urgency and the COVID circumstances.
- However, I was not aware of any of the Wetland's rules and provisions. I had never heard them mentioned before. *[Why are homeowners not informed of these rules and provisions ahead of time, when one is wanting to purchase a property that is within the Wetlands boundaries?]*

5. Being partially on the neighbor's property:

- We were told, by the previous owner of the house, where the property line was. *[There is and has been a chicken wire fence at this location]*. The wall was built on this premise. This information proved later to be incorrect.
- There was not a new survey done when we bought the house. *[Why it wasn't required by the mortgage company, I don't know.]*
- The land plots for the neighborhood were from 1946. A more recent survey may have been destroyed in the records building fire some time ago.
- Existing website plots show the house close to the property line but how close could not be determined until a new survey was done. *[Why was the house allowed to be built so close to the property line???*
- The new survey shows two property lines, one from the older records and one determined by newer GPS methods. The surveyor could not decide as to the exactness, so he included both lines on the new survey. Either way, the wall is still on the neighbor's property.
- Realization of where the property line actually is only became apparent after the new survey was completed.
- Before the wall was erected, the backyard had been mowed and maintained by my wife and me ever since we bought the house in 2012. This fact has never been objected to by my neighbor, Mr. Boyes.
- Before the wall, the backyard was a grass (or grass and weed) landscape well before my wife and I bought the house.
- My neighbor, Mr. Boyes, has never had a problem with where the wall stands. His only concern has been potential liability issues if someone were to be hurt.

6. The hiring of Engineering firm C.A.E. Inc.

- It is no secret that C.A.E. was most instrumental in delaying this exception process and the over 4 years it took to complete.
- This firm was recommended to me by Environmental Scientist Keith Miller. *[where does a citizen go for information when such a situation arises?]*
- It became obvious to me that Mr. Ellis was inexperienced in the W.Q.I.A. process and quite possibly overloaded with work.
- He would not respond to inquiries for days and sometimes weeks.
- COVID also played a large role in slowing down the process as many of the major players were overtaxed or not at work.
- C.A.E. took over 25 months to satisfactory complete their work.

7. Other Delays

- Initially, Keith Miller, who I was acquiring information from on how to proceed, was slow to respond to my inquiries.
- The Army Corps of Engineers took 4 ½ months to complete their tasks.
- Emails and phone calls were often not responded to in a timely fashion.
- I am not a corporation and have no previous experience insofar as Wetlands-related rules and provisions are concerned. There is no instruction book as to what steps to take or who to talk to and many inquiries were not promptly answered.

8. Please Consider:

- This process has taken over 4 years to complete and has been emotionally draining.
- My wife and I have been courteous and respectful to all county representatives.
- The retaining wall is sturdy and doing what it was designed to do. It has presently been at 99% complete and securely in place for four years.
- County inspectors, Ms. Beussink and Mr. Ellis from C.A.E. have all viewed the wall and provided good feedback.
- My intentions all along were to preserve the environment, not harm it.
- I feel that I have pursued this effort in an expeditious manner. Other entities I have been made to depend on have not necessarily done the same.
- Again, C.A.E. took entirely too long to complete their part of the process.

9. Additionally,

- If I said I was sorry for installing a retaining wall without proper authorization I would still be subject to scrutiny. If I said I was sorry, many would think I am only sorry I got caught. If I say I am not sorry, many will frown upon my irrelevance to following procedures. I will say this: I am sorry this process took four years to complete, and I am sorry more residents are not informed, when they buy a property, that they are in the wetland's buffer area and do not have total control over their own property.









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

Commissioner Distefano asked for clarity on the shed that is being requested.

Shaunee Beussink stated there is an existing shed on a concrete pad in the landward portion of the RPA that is in disrepair that the applicant is asking to replace.

Commissioner Boykin stated that during her site visit she noticed the shed was in disrepair. Ms. Boykin also stated that she wished to see pictures of the entire property, because the side yard has a steep slope from the front to the backyard and understands the need for the retaining wall and believes the retaining wall is beneficial to the RPA.

Commissioner Taylor stated that if this application was to be denied, removing the retaining wall would have more of a negative impact on the RPA. Ms. Taylor stated that she agreed with staff to recommend denial of the pool.

Commissioner Distefano agreed that removing the wall would be more injurious to the environment and with not approving the pool request. Mr. Distefano stated the shed should be allowed to be replaced.

Commissioner Boykin stated she believes the trees required are excessive and doesn't know where he would plant them due to the size of the lot.

Commissioner Distefano asked if the minimum requirements would be able to be achieved on site.

Commissioner Boykin stated that he would have no grass in his yard if he were to plant.

Amy Ring stated that according to the Buffer Mitigation Manual, 400 square feet is considered a landscape unit. For every 400 square feet, there should be one large canopy tree, two small canopy trees, and three shrubs. Mrs. Ring stated you can make substitutions among these planting requirements. Ms. Ring stated almost the applicants' entire backyard is RPA which is supposed to stay forested.

Commissioner Boykin asked where the landscaping had to be planted.

Ms. Beussink stated they could be planted anywhere in the one-hundred-foot buffer.

Commissioner Distefano asked why there was a difference in the proposed mitigation plantings compared to what the WQIA recommended and why the lesser amount was selected.

Mr. Bolt stated that the reason for planting canopy trees, understory trees and shrubs is to retain the soil, which is what a retaining wall does and doesn't feel like he needs vegetation to do that. Mr. Bolt added that the roots from these trees could potentially damage the wall.

Commissioner Gibbs asked the applicant if he is willing to make some allowances on his mitigation proposal.

Mr. Bolt stated he was willing.

Commissioner Distefano stated that if he was to recommend approval of this application, he would ask the applicant to make more of an effort to meet the minimum planting requirements, before going to the Board of Supervisors.

Ms. Ring offered the option to have this application continued to allow time for staff to work with the applicant to come up with a solution that would then be presented back to the Planning Commission to give the appropriate recommendation to the Board of Supervisors.

Commissioner Gibbs made the motion to table this application to allow time for staff and the applicant to agree on a mitigation plan. Commissioner Distefano seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Gibbs, Carroll and Bowser voting in favor, no Commissioners voting against (8-0).

OLD BUSINESS

Amy Ring confirmed there are no old business items.

NEW BUSINESS

Chairman Bowser called for the following new business item.

Application EXC-24-1 of Charles Davis, Jr. and Kimberly Davis, owners, for a waiver to Section 3.2.4.A.4 and Section 5.9.1.C of the Subdivision Ordinance to allow a family member subdivision from tax map parcel 31-01-019A on a private thirty-foot ingress/egress easement not built to public standards which serves more than two lots.

Sandy Robinson, Planner II, gave the following presentation.

APPLICATION EXC-24-1 KIMBERLY & CHARLES DAVIS, JR. WAIVERS TO SECTION 3.2.4.A.4 AND SECTION 5.9.1.C OF THE SUBDIVISION ORDINANCE

Planning Commission Meeting
October 22, 2024

Details

- Tax Map ID#:31-01-019A
- Location: Carroll Bridge Road
- Current Zoning: RAC
- Election District: D4
- Purpose: Create lot for family member on a private easement that serves more than two lots.

Background

- Parent parcel was created in the 1990's and is accessed by a private ingress/egress easement to Carroll Bridge Road (Rt. 654)
- Surrounding land uses are commercial, single-family residential, agricultural, and woods
- Property owners advised proposal does not meet the Subdivision Ordinance standards that were adopted in 2021

Background

- Family member standard allows no more than one lot resulting from a single tract to be accessed from a single easement unless approved by the Board of Supervisors upon recommendation from the Planning Commission
- Subdivision Ordinance also stipulates that all roads which provide access to three or more lots must be public roads which meet VDOT construction standards

Background

- Proposed lot is approximately 1,000 feet down the private ingress/egress which presently serves access to four existing lots.
- There is a recorded road maintenance agreement, and the proposed lot will also be subject to that agreement.

Ordinance Review

- Section 3.2.4.A.4 addresses family member subdivisions - no more than one family member subdivision lot may be created from a single tract of land which is accessed from a single easement of right-of-way, unless approved by the Board of Supervisors upon recommendation from the Planning Commission.
- Section 5.9.1.C - all new streets must be public and improved to comply with the VDOT road and bridge standards.
- Section 3.2.10.E - lists criteria in order to approve a request for a waiver, the Board of Supervisors shall make an affirmative finding that all of the following criteria are met:

Comprehensive Land Use Plan Review

- Property is designated RAC on the Future Recommended Land Use Map.
- Designation is intended to maintain and conserve rural character and farmlands and to provide for a full range of agricultural and farming activities and related uses along with scattered, low density residential development.
- Proposed use is consistent with the future recommended land use.

1. Granting the waiver will not have an adverse impact on land use compatibility.

Finding: Staff finds the proposed use is consistent with the residential and rural uses of surrounding properties.

2. Strict adherence to the general regulations would result in substantial injustice or hardship.

Finding: Staff finds no hardship, because the lot is currently being used for its intended single family residential use.

3. The waiver has not been opposed in writing by the county, VDOT engineer, or health official.

Finding: VDOT does not oppose the application. The Health Department will require a permit for the installation of a well and septic system.

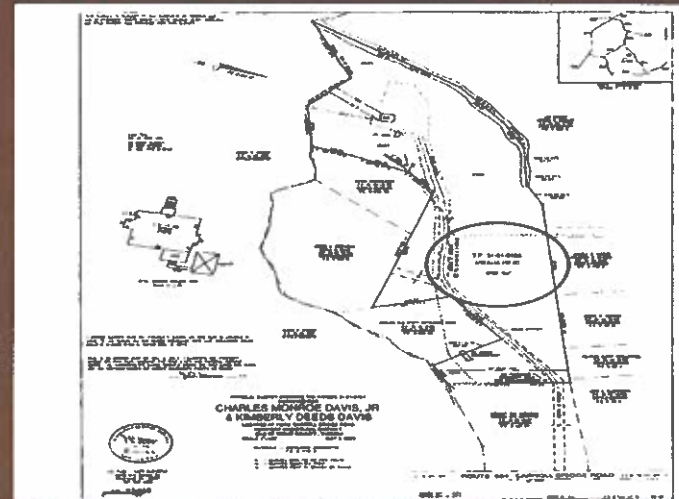
4. Granting the administrative waiver shall be consistent with the purposes and intent of this ordinance.

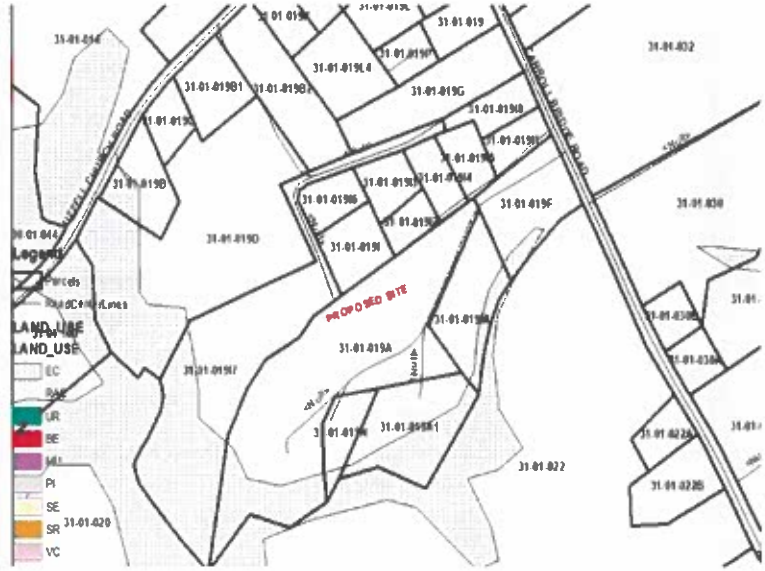
Finding: Staff finds that the purpose and intent of the Ordinance is to promote the orderly development of the County and to protect the public health, safety and welfare by ensuring access by emergency service vehicles.

Ordinance Review

Agency Review

- VDOT has reviewed the request and states that there are no impacts to the state-maintained right-of-way with the proposal
- The land has been evaluated by an Onsite Soil Evaluator (OSE) for installation of a septic system which includes a primary and reserve drain field as required for approval
- No concerns have been identified by County Departments





Strength:
Existing Road Maintenance Agreement

Staff Conclusions

Weakness:
The request does not meet requirements of the Subdivision Ordinance without the waiver.

Staff Recommendation

**Staff recommends denial
of the waiver based on
its weakness.**

Chairman Bowser called for discussion from the commissioners.

Commissioner Carroll stated that that the private road is a wide and clear road with good ingress and egress.

Commissioner Taylor asked how this new lot would be added into the road maintenance agreement.

Bobby Jones stated that the road maintenance agreement is for the master parcel and includes successors and assigns to the property which makes them subject to this agreement.

Commissioner Taylor made the motion to send this application to the Board of Supervisors with the recommendation of approval. Commissioner Gibbs seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Gibbs, Carroll and Bowser voting in favor, no Commissioners voting against (8-0).

The motion passed unanimously, and the item will go to the November 21, 2024, Board of Supervisors Meeting.

Chairman Bowser called for the next new business item.

Application of Hall Family Partnership LLC, applicant and owner, for an Exception to Section 6-2010.A.3.a of the Newport Development Service Overlay (NDSO) District Regulations in the Zoning Ordinance for the property located at 20168 Regal Circle with Tax Map Number 42-06-004 for an Exception to the NDSO Design Standards for building façades

Trenton Blowe, Planner III, gave the following presentation.

Newport Development Overlay District Exception Request EXC-4-24 Hall Electric

Planning Commission Regular Meeting
October 22, 2024



BACKGROUND

- The property is currently vacant but has been cleared as a part of an approved site plan.
- The site is a part of the original Isle of Wight Industrial Park which received zoning approval in 1988.
- The proposal is to add 6,200 square feet of indoor storage space and 4,800 square feet of office space. There is also a storage yard to the rear of the property.



PROJECT DESCRIPTION

- The exception request is to section 6-2010.A.3.a.
- Section states that building exteriors, to include accessory buildings, shall utilize one or more of the following materials:
 - i. Brick
 - ii. Decorative Block
 - iii. Stone
 - iv. Stucco
 - v. Natural Wood Siding
 - vi. Cementitious Siding



APPLICATION DESCRIPTION

Request: Exception to Sections 6-2010.A.3.a of the Zoning Ordinance which prohibits metal walls

Tax Map Number: 42-06-004

Location: 20168 Regal Circle

Comp Plan Land Use Designation: Newport Development Service District (DSD)

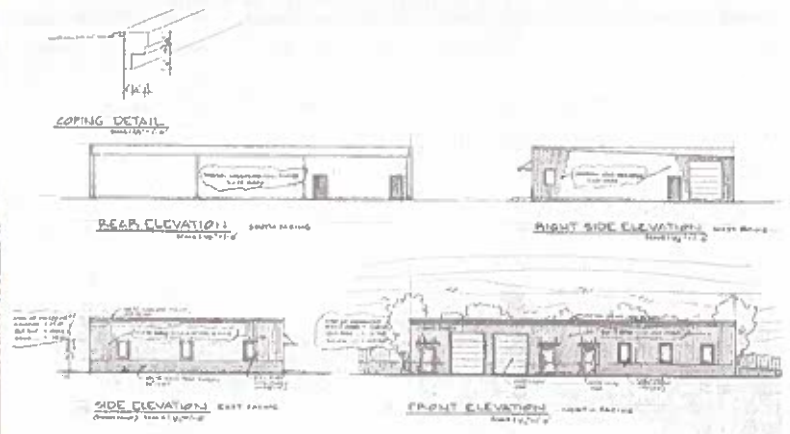
Zoning District: Conditional - Limited Industrial (C-LI)

Election District: D4



PROJECT DESCRIPTION

- Exception needed to the NDSO design standards to allow the applicant to construct a building using metal siding which prohibited in the NDSO
- Applicant states that the cost and maintenance required with the materials found in the ordinance are the primary reasons for the exception request.



Per Section 6-2011.B., when granting an exception, the Board of Supervisors must consider the following criteria:

- Such exception shall be no less beneficial to the residents or occupants of the development, as well as the neighboring property, that would be obtained under the applicable regulation.
- That the exception is reasonable because of the high level of design and construction that will be incorporated into the development; and,
- That the exception will result in design and construction that is in accordance with accepted engineering and building standards.



CRITERIA FOR NDSO EXCEPTION CONSIDERATION

Staff findings:

1. The proposed use and building are consistent and similar in nature with neighboring properties inside the industrial park.
2. Beyond the metal siding, the building design includes such higher-level design elements such as awnings over the entrances, and parking located in the interior of the site.



STAFF ANALYSIS

Strengths:

1. The building design and use will be similar to those of existing buildings within the industrial park
2. The proposed use of the property would increase employment and revenues in the County.

Weaknesses:

1. The new building will not meet the NDSO design requirements.



STAFF RECOMMENDATION

Based on the listed strengths, staff recommends approval with the condition that the building materials will be the same as those proposed in the concept elevation.



Commissioner Boykin asked what side of the building would be facing Benns Church Boulevard.

Mr. Blowe stated the side of the building will be facing Benns Church Boulevard, and the side would have the split face brick veneer along with the vertical elements of the metal siding.

Commissioner Boykin made the motion to send this application to the Board of Supervisors with the recommendation of approval. Commissioner Taylor seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Gibbs, Carroll and Bowser voting in favor, no Commissioners voting against (8-0).

The motion passed unanimously, and the item will go to the November 21, 2024, Board of Supervisors Meeting.

COUNTY ATTORNEY'S REPORT

Bobby Jones confirmed there were no items for the county attorney's report.

PLANNING DIRECTOR'S REPORT

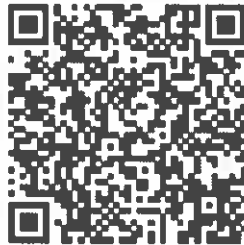
Amy Ring stated staff is requesting input for the Comprehensive Plan update and shared the following QR code for the survey. The purpose of the survey is to gather public input on the current status of the community's priorities for future growth as part of the five-year review of the Comprehensive Plan.



We need your input!

Please take five minutes to give your input on how the County will develop in the future. The County's comprehensive plan was adopted in 2020, and it's now time to make sure the plan still reflects the community's priorities for the future.

Please use the QR code to go to the survey – it's only nine questions! Thank you for your time!



Ms. Ring, Community Development Director, gave the following presentation on the proposed Zoning Ordinance Revision Discussion.

Proposed Zoning Ordinance Revision Discussion

Planning Commission Regular Meeting
October 22, 2024



Background

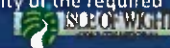
Planning Commission continued its discussion of proposed changes to the industrial use setback requirements at their September 24, 2024, regular meeting.



Industrial District Setbacks

For parcels directly adjacent to a residential use or district **where principal use is residential**, the minimum setback shall be **300** feet. Within the required setback, there shall be no development, clearing, grading, or construction activity with the following exceptions:

- 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;
- 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;
- 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

- Signs are permitted in accordance with article IX;
- 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;
- The trimming of existing limbs or branches of preserved trees is permitted when approved by the zoning administrator;
- 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.
- There shall be an earthen berm with a minimum height of ten (10) feet installed in the required set back between the residential use and the industrial use.**
- A sound study shall be required with the submittal of the application for the industrial use.**



Staff proposes the following additional items for discussion:

- The term "residential lot" should be clarified as a property whose principal use is or is proposed for residential use. This term shall not include agricultural properties where the principal use is agricultural or silvicultural, and a residence is considered accessory to this use.
- Consider changing the setback to 300 feet from the residential structure as opposed to the property line. This would allow some additional flexibility for properties where the residential structure is setback further from the proposed industrial use.



The Planning Commission briefly discussed the proposed ordinance changes and agreed that additional information on the impacts on industrial property was needed from Economic Development before advertising the proposed changes for public hearing.

There being no further information to discuss, Chairman Bowser adjourned the meeting at 7:36 PM.

Adopted this 28 day of January, 2025

Bobby Bowser

Bobby Bowser, Chairman, Isle of Wight County Planning Commission

Amanda Landrus

Attest:

Amanda Landrus, Secretary

