

dwelling unit ordinance for the agricultural zoning district to allow for small footprint housing. He stated that this is something that can be researched for the comprehensive plan.

Mr. Lenz stated the percentage of short-term tourist rentals is less than 1% of the County's housing stock. He stated an accessory dwelling ordinance should be included as a replacement for guesthouses. He also stated that he would like to investigate the possibility of changing what types of housing are permitted. He also stated that many other municipalities allow for accessory dwelling units.

Mr. Wendling stated that another thing that could be looked at during the comprehensive plan review process is potentially converting some parcels into future rural residential land use and zoning.

Ms. Richardson asked if there was a procedure if a short-term rental decides that they wish to withdraw or shift to a long-term rental?

Mr. Lenz stated that after the rental has ceased for two years, the permit can be revoked. This is typically tracked by whether the transient occupant taxes have been paid. Long-term rentals are by-right, so there is no additional documentation needed.

Zoning Administrator:

Mr. Lenz had nothing of note.

Adjournment:

On a motion made by Ms. Richardson and the following vote, the meeting was adjourned at 9:00PM.

Ayes: Myers, Kersjes, Richardson, Gordon.



Warren County Planning Commission Chairman

Ayes: Myers, Kersjes, Richardson, Gordon.

New Business

2023 Annual Report to the Board of Supervisors

Mr. Wendling stated that County Planning Staff have been working on the 2023 Annual Planning Commission report to the Board, which has been updated with data from 2023, including text tables, graphs, maps, graphics, and photos.

On a motion made by Ms. Richardson and seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the annual report to the Board of Supervisors for review and final approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

Consent Agenda – Authorization to Advertise for Public Hearing:

On a motion made by Mr. Kersjes, seconded by Mr. Gordon, and by the following vote, the Planning Commission approved the Authorization to Advertise.

Ayes: Myers, Kersjes, Richardson, Gordon.

Commission Matters:

Planning Director:

Mr. Wendling had nothing of note.

Attorney for the County:

Mr. Bowman had nothing of note.

Commission Members:

Mr. Kersjes stated that he is concerned about the proportion of short-term rentals to the number of non-rental homes in the county. He is concerned that there is not any incentive for putting in affordable housing.

Mr. Gordon expressed concern about trying to find a way to restrict the market to keep properties affordable because there is nothing in place to stop the market from running up the costs on a house.

Mr. Kersjes stated that his biggest concern was the overall affordability of housing.

Mr. Wendling stated that the modification of the family subdivision ordinance was designed to help alleviate the problem. There is also the possibility of adding an accessory

2. The exterior façade of the hotel shall include stone or faux stone façade accents ~~and standing seam metal roof as required by the proffers for this site.~~
3. Architectural renderings of the hotel must be submitted to the Planning Commission during the final site plan approval process and approved by the Planning Commission as being in compliance with County ordinances.
4. All mechanical equipment shall be shielded and screened from public view and designed to be perceived as an integral part of the building.
5. The applicant shall comply with Virginia Department of Transportation, Warren County Building Inspections, and Warren County Health Department applicable regulations and requirements.
6. Dumpster/trash collection areas shall be screened from view as required by the zoning ordinance with materials cohesive with the building.
7. All corridors used to access hotel rooms shall be interior to the hotel building.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

Mr. Kersjes asked if 62 feet is the occupied level.

Mr. Wendling stated that 62 feet is the total height of the building.

Mr. Gordon asked if it is going to have a standing seam roof or a flat roof?

Mr. Neel stated that it would be a flat roof.

Mr. Wendling stated that the condition could be amended to remove the requirement for a standing seam roof.

Mr. Gordon asked if there could be a condition added to make the corridors interior.

Mr. Neel stated that they would accept that condition.

On a motion made by Mr. Gordon and seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval with the modification to include that all halls must be interior and to remove the condition of a standing seam roof.

Mr. Kersjes asked what kind of trees they are going to be using.

Mr. Neel stated that they have not made that decision yet and would be consulting Planning Staff for tree selection. He also stated that, in reference to one of the letters, that their signs would be facing Caroline Drive.

Mr. Kersjes asked if they were planning on using a flat or pitched roof.

Mr. Neel stated that the plan was a flat roof.

Ralph West, 164 Cedar Park Court, Front Royal

Mr. West stated that he is concerned about the increase in noise, traffic, light pollution, and physical pollution. He is also concerned about the well water systems and how much water the hotel is going to consume.

With no one else coming forward, Mr. Myers closed the public hearing.

Mr. Myers asked how many rooms are going to be in the hotel?

Mr. Kersjes stated that there would be 107 rooms.

On a motion made by Mr. Kersjes and seconded by Mr. Gordon, and by the following vote, the Planning Commission moved to forward the rezoning to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

CUP2023-12-03 - Foresight Design Services - A request for a conditional use permit for a Building Height in Excess of 40 feet within the Highway Corridor Overlay District and Commercial zoning district for a proposed building height of 62 feet. The property is located at 99 Cedar Park Court and identified on tax map 12E, lot 6. The property is zoned Agricultural (A) and located in the Vernon L. Kemp subdivision and in the North River Magisterial District.

Mr. Wendling stated that the applicant is requesting a conditional use permit for proposed structure in the Commercial zoning district and Highway Corridor Overlay District which exceeds the allowed 40-foot height limit. They are proposing that the structure be allowed to be 62 feet in height, which exceeds the allowed limit by 22 feet. The applicant has submitted a revised concept plan which also shows proposed by-right uses for a restaurant and retail stores.

Staff recommends that if the Planning Commission is going to approve of this request that the following conditions should be applied: (additional conditions may be added once agency comments are received including any related transportation conditions.)

1. The hotel shall not exceed 62 feet in height.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

Mr. Gordon asked Mr. Bowman if he had reviewed the order and if he was comfortable with proceeding.

Mr. Bowman stated that he had reviewed the order and was comfortable with proceeding.

On a motion made by Mr. Kersjes and seconded by Ms. Richardson, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

R2023-12-01 - Foresight Design Services - A rezoning application to amend the Warren County Zoning Map to rezone a 5.04-acre parcel from Agricultural (A) to Commercial (C). The property is located at 99 Cedar Park Court and identified on tax map 12E as lot 6. The property is located in the North River Magisterial District and the proposed by-right land use is for a hotel/motel and future restaurant. The future land use zoning map in the Comprehensive Plan is shown as Commercial zoning for this property.

Mr. Wendling identified the property is located in the Comprehensive Plan's Future Land-Use map to be Commercial. The subject property is located in part in the Highway Corridor Overlay District adjacent to the Marriot hotel off Country Club Road and Caroline Ct. The applicant is proposing the rezoning of the property for a hotel/motel. A conditional use permit is being requested to allow for the 5-story hotel with an increase in height of the building to 62' which is over the allowed height of 40' for the Commercial and Industrial zoning districts. The concept plan for this property also identifies areas of future development for a retail strip plaza and restaurant which are by-right uses in the Commercial zoning district.

John Neel, Foresight Design Services, 1260 Radford Street, Christiansburg

Mr. Neel stated that they are proposing a five story, 107-bedroom hotel, a future fast casual restaurant, and a small strip commercial site. They believe that there will not be adverse impacts because the property is in the Highway Corridor Overlay District. They noticed that people on Cedar Park Court were concerned about traffic, and, in response, they put in the proffer statement stating that there would be no access via Cedar Park Court. All the access will go to Caroline Drive. They are also intending to construct both the street and sidewalks on their portion of Caroline Drive. They are also going to adhere to all stormwater requirements provided by the County. There will also be buffering landscaping.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

Mr. Kersjes asked what were the grounds that the association denied the use?

Mr. Lenz stated that a website had been located and the association came to the conclusion that the applicants were actively operating without the approved conditional use permit. He stated that he investigated and found that there was no zoning violation present.

On a motion made by Mr. Kersjes and seconded by Mr. Gordon, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

CUP2023-05-04 - David A. Downes - This is a resubmission request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 125 Freeze Road and identified on tax map 23C, section 2, block 2, lot 168A. The property is zoned Residential-One (R-1) and located in the Mountain View Section of the Shenandoah Farms subdivision and the Shenandoah Magisterial District.

Mr. Wendling stated that the applicant is requesting a conditional use permit for a short-term tourist rental on behalf of the estate of his close friend who is now deceased and as a representative for his friend's young daughter. The property was purchased in 2018 by the deceased father and uncle of the child. The permit would allow for the applicant to generate income on the property until the daughter turns 21 years old and relocates to the United States from the Philippines.

This application was temporarily withdrawn until Mr. Downes was able to have a legal Order giving him the "additional fiduciary powers" to represent Kathleen Rhea Gulley for submission of the CUP application and management of the Short-Term Tourist Rental if approved. The order was recorded with the Warren County Circuit Court Clerk on December 20, 2023 and Mr. Downes has requested that the Planning Commission and Board of Supervisors reevaluate the application after public hearings are held.

Planning Staff is requesting the standard conditions.

David Downes, 14 Chester Street, Front Royal.

Mr. Downes stated that this is the first time he has been in control of a trust and that the only way to preserve the estate is to generate income through the short-term tourist rental. He stated that he would be in charge of maintenance of the property.

identified on tax map 38C, section 1, lot 3. The property is zoned Agricultural (A) and located in the Harmony Hollow Association Inc. subdivision and in the South River Magisterial District.

Mr. Lenz stated that the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in July of 2023. The owners would like to make their property available for short-term lodging as a "friendly home base" for visitors of Warren County seeking to explore everything the County has to offer when they are not using the property as an escape from their hectic lives in Washington, D.C. The applicants will manage the property personally with assistance from local professional services for trash removal, cleaning, and maintenance. The standard conditions are recommended.

Kenneth Day, 628 Harmony Orchard Road, Front Royal

Mr. Day wanted to thank the Commission for their time and Mr. Lenz for his assistance and they are excited about this opportunity. He and his wife are aware of the neighbor's concerns and they are going to abide by the conditions that Staff recommends.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

On a motion made by Ms. Richardson and seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

CUP2024-01-04 - Jacquelyn Gunn - A request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 1754 Khyber Pass Road and identified on tax map 23A, section 9, block 35, lot 55A. The property is zoned Residential-One (R-1) and located in the Skyland Estates subdivision and in the Happy Creek Magisterial District.

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property she purchased in May of 2023. The owner would like to make the property available for short-term lodging for visitors of the Warren County area seeking to experience the local attractions when she is not using the property personally. Primarily residing in Woodbridge, VA, the applicant will manage the property personally with assistance from her immediate neighbor on Khyber Pass Road.

The applicant provided a property management plan and comments have been received from the Skyland Community Corporation recommending disapproval of the conditional use permit application.

The rear portion of the property, which includes most of Lake John, is identified as a Special Flood Hazard area, Flood zone A. Both the guesthouse and primary residence shown on their submitted site plan will be constructed outside of the Special Flood Hazard Area (SFHA).

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors.

1. The guesthouse may be used for full-time occupancy until the second dwelling has been issued a certificate of occupancy.
2. The guesthouse shall only be used for part-time occupancy, up to six months per year, after the second dwelling has been issued a certificate of occupancy.
3. The guesthouse shall not be rented, leased, or otherwise made available for compensation of any kind. Use of the guesthouse as a short-term tourist rental shall be prohibited.
4. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
5. The applicant shall have a condition placed on the deed at the time of transfer of the property to a new owner that the rental or leasing of the guesthouse for compensation of any kind is prohibited and that the guesthouse is limited to part-time occupancy, up to six months per year, after the second dwelling has been issued a certificate of occupancy.
6. Any construction or development within the Floodplain Overlay District shall comply with the regulations and requirements set forth under Warren County Code §180-16 Floodplain Overlay District.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

On a motion made by Ms. Richardson and seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

CUP2024-01-03 - Kenny & Sylvia Day - A request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 628 Harmony Orchard Road and

6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on state roads shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Mr. Myers opened the public hearing.

Sarah O'Fallon, 598 Stokes Airport Road, Front Royal

Ms. O'Fallon stated that she is leery of adding short-term rentals because of increased trash, increased noise, increased traffic, and the stress short-term rentals put on an already strained housing market.

Ralph West, 164 Cedar Park Court, Front Royal

Mr. West echoed Ms. O'Fallon's concerns and is concerned about the increased traffic because the road is so narrow.

With no one else coming forward, Mr. Myers closed the public hearing.

Mr. Myers stated that while he hears the complaints of the neighbors, there is a likelihood that the owner would do a long-term rental if the short-term rental were denied.

Mr. Kersjes asked if the management plan had been approved?

Mr. Lenz stated that it had been submitted and was compliant.

On a motion made by Mr. Kersjes and seconded by Mr. Gordon, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

CUP2024-01-02 - Gregory & Margo Steadman - A request for a conditional use permit for a Guesthouse. The property is located at (0) Knock Lane and identified on tax map 10P, section 4, lot 20. The property is zoned Agricultural (A) and located in the Gafia Estates at Lake John subdivision and in the North River Magisterial District.

Mr. Lenz stated that the applicants are requesting a conditional use permit for a guesthouse to allow them to pursue a two-stage construction plan for their property. The first stage would be the construction of a 1,600 square foot dwelling and boat/recreational equipment storage building. In the second phase, the owners would reside in this dwelling unit while waiting for financing and construction of a larger dwelling to be used as their primary residence. Upon completion of the primary residence, the smaller dwelling will be converted into a guesthouse for temporary lodging for family and friends on a non-commercial basis.

CUP2024-01-01 - Vesta Property Management (40 Acre Wood, LLC) - A request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 357 Stokes Airport Road and identified on tax map 18, lot 74A. The property is zoned Agricultural (A) and located in the Lasta-Holdings LLC subdivision and in the Fork Magisterial District.

Mr. Lenz stated that the owner is requesting a conditional use permit for a short-term tourist rental for the property he purchased in October of 2018. The owner would like to make his property available for short-term lodging for traveling nurses, remote-working professionals seeking a change in scenery, and other visitors of the Warren County area. With the owner being the manager of the local Vesta Property Management, the property will be managed by this company. This property has not had any previous Conditional Use Permits issued for uses in the Agricultural zoning district. The dwelling was constructed in 1900 per real estate listings. The property is located approximately 500 feet north of the Front Royal-Warren County Airport.

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed the system capacity as determined by the Health Department permit per Warren County Code §180-56.4B. The Certificate of Zoning shall only be issued with approved Health Department records.
3. The applicant shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.

Mr. Myers stated that the Planning Commission made that requirement because there are areas in the county where a cellphone would not be useful in contacting emergency services.

Mr. Gordon stated that he does not like the language "other reliable means of telecommunication" because it is too vague.

Mr. Wendling stated that the language was added to include voice over internet protocol and unforeseen methods of telecommunication.

Mr. Gordon asked what was meant by reliable?

Mr. Wendling stated that "reliable" was meant to be something that could contact emergency services.

Mr. Kersjes asked if the intent was for there to be a device in that house that is tied to the E-911 circuit?

Mr. Wendling agreed that the intent was to have a secondary form of communication for contacting E-911.

Mr. Kersjes asked that if the intent is for the secondary form of communication to be tied to the E-911 circuit, why not make it state "communication system that's tied to the Warren County E-911 circuit?"

Mr. Bowman suggested that the section could be phrased as either the homeowner will have landline as long as the landline's available, and if a landline isn't available, then, then they would be allowed to have some other type of telecommunication that's connected to the E-911 system or there must be a phone present on the premises that is tied to the E-911 system for outgoing calls and capable of reliably receiving incoming calls.

Mr. Gordon asked if it is possible to recommend approval of the item with the condition of staff researching and coming to a decision on which of the proposed options is better to include in the ordinance?

Mr. Bowman stated that the Commission could move forward in that manner if they so choose.

On a motion made by Mr. Gordon and seconded by Ms. Richardson, and by the following vote, the Planning Commission moved to forward the ordinance to the Board of Supervisors with the recommendation of approval contingent upon County Staff revisiting item J to address comments as stated during the meeting.

Ayes: Myers, Kersjes, Richardson, Gordon.

Mr. Smullen wanted to thank Matt and Chase for their inclusion in this process and wanted the subdivisions to have the ability to inform Planning of ordinance violations. The Associations are making efforts to tell their members how to report violations and the Coalition would like to be a part of the renewal process for conditional use permits.

With no one else coming forward, Mr. Myers closed the public hearing.

Mr. Kersjes asked what the procedure for review of the permits was?

Mr. Lenz stated that the annual review entails a request for the annual well water test results and the septic invoice for servicing every three to five years from the permit holder. There has been a discussion with the WCCCA about the review process and how communication can be better with the different community groups and for Staff to contact them on an annual basis to see if there had been any issues with the short-term tourist rentals.

Mr. Gordon stated that if there are issues ongoing throughout the year that they should be continually reported to staff by calling the Planning Office.

Mr. Lenz agreed that issues should be reported immediately.

Ms. Richardson asked how often complaints are being received?

Mr. Lenz stated that there have not been many complaints. These complaints are addressed as they come in and are addressed by contacting the operator, telling them that there is a problem, and, if the problem continues, Staff would move forward with the revocation procedures as outlined under the Warren County code.

Ms. Richardson asked if there had been any more possible communication with law enforcement in the county on reported incidents?

Mr. Lenz stated that if the Sheriff's Office is contacted, Planning Staff is not informed of that contact. Planning Staff has provided the Sheriff's Office with a list of the operator's emergency contact numbers and addresses for short-term tourist rentals.

Mr. Gordon asked Mr. Bowman if the language in Section I requesting covenants would cause Staff to interpret the meaning of the restrictive covenants?

Mr. Bowman stated that it is appropriate for the covenants to be considered as one aspect of the many things that are considered in a conditional use permit application. He also stated that he is not too concerned about the County's ability to interpret the covenants because he is a resource to the Planning Staff and Planning Commission to interpret the covenants and render an opinion.

Mr. Gordon asked what is the intent of having a landline in Section J?

Following this recommendation of denial, Planning Staff and the Board of Supervisors held several discussions about this item at the October and November 2023 work sessions. From these discussions, Planning Staff recognized that the Board does not support making the 100-foot setback an absolute requirement that cannot be waived nor did they support removing the 100-foot setback requirement entirely.

On Tuesday, December 12th, 2023, the Board of Supervisors moved to send the text amendment back to the Planning Commission for further review and recommendation. In this timeframe, several meetings with the Warren County Coalition of Community Associations (WCCCA) were held and Planning Staff has been actively discussing some different procedural changes that can be made to improve the process and communication with home and property owners associations.

Mr. Meyers asked if anyone had any questions?

Mr. Kersjes asked if the applicant does not reach out to the associations, can they still bring it to the Planning Commission?

Mr. Lenz stated that the requirement under subsection I of the current code states that the Planning Department must receive a recommendation of approval or disapproval from the HOA to operate the short-term tourist rental. Previously, the Planning Staff has taken the application and requested comments from the HOAs or POAs. Staff is requesting that the ordinance be updated to reflect the actual process that is followed by Planning Staff and to specify what should be included in provided comments including any restrictive covenants which expressly prohibit the use.

Mr. Kersjes asked if staff is reaching out to the HOAs and POAs and that it would not be left to the applicant?

Mr. Lenz confirmed that staff requests comments.

Mr. Myers opened the public hearing.

Watts Hill, 208 Mountain Top Road, Front Royal. Vice-President of the High Knob Owners Association

Mr. Hill stated that he appreciated the inclusion of the Warren County Coalition of Community Associations in discussions of the amendment by Planning Staff. The Coalition would have preferred for the applicant to seek out the Associations, but compromised by requesting that Staff reach out to see if there are any restrictive covenants in place. The Associations would also like to be consulted when renewal time comes around.

Gary Smullen, 537 Bifrost Way, Linden. President of Skyland Community Corporation.

Much of the site is to be dedicated for use part as part of the landscape and horticultural services use of KT Enterprises. The area that will be the storage area itself is approximately three acres of the site. The balance of the TDS component will consist of the office and shop facilities as well as the associated parking for that use. In total, under 5 acres of a 23.5-acre site will be used as part of the TDS operation.

All the properties that surround the site are zoned industrial and many are already developed industrially. It is adjoined along two sides by storage facilities or storage operations of industrial uses. One of the properties immediately adjacent to the proposed storage area is the truck and trailer parking site area for the Sysco facility and adjoining the associated wholesale nursery area is an outdoor storage yard for the Ferguson operation.

The Plein-Smith LLC - Bristow operation that will be relocating to Warren County has very similar components to what is being proposed in the application: it would be a combination office and shop facility buildings, as well as a storage yard and a wholesale nursery component.

Mr. Myers opened the public hearing and, with no one coming forward, the public hearing was closed.

On a motion made by Ms. Richardson, and seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Kersjes, Richardson, Gordon.

Z2023-08-02 - Short-Term Tourist Rentals - Warren County Planning Staff - A request to amend Chapter 180 of the Warren County Code to amend §180-56.4 to modify the supplementary regulations for Short-Term Tourist Rentals.

Mr. Lenz stated that on Wednesday, September 13th, 2023, Mr. Henry moved to forward this request to the Board of Supervisors recommending denial. The motion was seconded by Mr. Kersjes and approved by the Planning Commission. In their discussion, the Planning Commission supported all proposed changes to the supplemental regulations, except the proposed options to change the 100' setback requirement from neighboring dwelling. The Planning Commission did not agree with making the 100' setback an absolute requirement that cannot be waived. They also disagreed with removing the 100' setback requirement entirely. The Planning Commission indicated preference for keeping the setback requirement as a supplemental regulation that can be waived by the Board of Supervisors.

facilities. Some of the use involved with the site is a by-right use; the conditional use is for the contractor storage yard for storage of equipment. The comprehensive plan states that the property is not located within the highway corridor overlay district and it is not subject to those rules and regulations, but County Staff does plan to use this as a guide for development and the applicants have agreed to those standards.

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.

1. The applicant shall comply with all Virginia Department of Transportation (VDOT), Warren County Building Inspections, Warren County Health Department, and Virginia Department of Environmental Quality applicable regulations and requirements.
2. A site plan shall be prepared and approved by the Warren County Planning Department prior to the issuance of a building permit, showing the buildings, ingress/egress, parking areas, outdoor lighting, landscaping, screening, storage areas, trash receptacles, signage, and other applicable zoning requirements.
3. All mechanical equipment shall be shielded and screened from public view and designed to be perceived as an integral part of the building.
4. All light fixtures shall be fully shielded with dark sky compliant fixtures and comply with the Warren County Code Section §180-49.2 for Lighting.
5. The site plan shall comply with Section §180-49.1 of the Warren County Zoning Ordinance regarding landscaping.
6. Outdoor storage areas shall be completely screened from view of Baugh Drive with fencing approved by County staff. Such fencing shall be a minimum of 6 feet in height and may consist of chain link with opaque fabric covering, slats, or similar element(s) to achieve visual screening. Outdoor storage areas shall also comply with the applicable screening and buffering requirements of §180-18 of the Warren County Zoning Ordinance.

Mr. Wendling invited Christopher Mohn, the applicant's engineer from Greenway Engineering, to present the concept plan.

Mr. Myers stated that Total Development Solutions is a direct competitor to his employer, but he feels that he can vote on this honestly and fairly and without bias.

Christopher Mohn, Greenway Engineering.

Mr. Mohn stated that he is here representing the applicant, Plein-Smith Ventures, and was present at the January 10th meeting. He stated that nothing substantive has changed with the application.

At a regular meeting of the Warren County Planning Commission held in the Warren County Government Center on February 14th, 2024.

Present: Robert Myers, Chairman (Happy Creek District); Scott Kersjes (North River District); Kaylee Richardson (South River District); William Gordon (Shenandoah District); and Jordan Bowman, of Litten & Sipe LLP, attorney for the County; also, present; Matt Wendling, Planning Director; Chase Lenz, Zoning Administrator; Allison Mutter, Clerk to the Planning Commission

Absent: Hugh Henry, Vice-Chairman (Fork District)

Call to order and Pledge of Allegiance of the United States of America

Adoption of the Agenda

On a motion made by Mr. Kersjes, seconded by Mr. Gordon, and by the following vote, the Planning Commission approved the Adoption of the Agenda.

Ayes: Myers, Kersjes, Richardson, Gordon.

Adoption of Regular Meeting Minutes

On a motion made by Mr. Kersjes, seconded by Mr. Gordon, and by the following vote, the Planning Commission approved the minutes from January 10th, 2024 as presented.

Ayes: Myers, Kersjes, Richardson, Gordon.

Public Presentations:

Public presentations are limited to issues that are not included on the meeting agenda. It is intended as an opportunity for the public to give input on relevant planning issues, and not intended as a question-and-answer period.

Public Hearings:

CUP2024-01-05 - Plein Smith Ventures, LLC - A request for a conditional use permit for a Contractor Storage Yard. The property is located at (0) Baugh Drive and identified on tax map 5C, lot 6. The property is zoned Industrial (I) and located in the Stephens Industrial Park and the North River Magisterial District.

Mr. Wendling stated that the applicant has submitted this request on behalf of Total Development Solutions, LLC, a site development company and KT Enterprises, Inc., which provide services for landscaping and development for a conditional use permit for a contractor's storage yard. The proposed use includes storage areas for vehicles and equipment related to the businesses, an area for temporary storage of landscaping products for off-site jobs, and buildings to be used for their respective offices and shop