



AMELIA COUNTY PLANNING COMMISSION
Regular Meeting
County Administration Conference Room
16360 Dunn Street,
Amelia, Virginia 23002

Monday, November 27, 2023
7:30 P.M.

AGENDA

	<u>Action</u>
	<u>Needed</u>
1. Call to Order and Welcome of Guests: Larkin Moyer, Chairman	Call to Order
2. Determination of Quorum	Quorum
3. Approval of Minutes	
I. Regular Meeting October 23, 2023	Motion
4. Old Business	
5. New Business	
I. Subdivision Ordinance - Family Divide Draft Amendment Review	
6. Chairman Comments	
7. Informational	
8. Adjournment	

SPEAKER RULES OF PROCEDURE

Please respect all speakers and allow all opinions to be expressed in a tolerant atmosphere.

- a) Speakers may speak only once during a specific comment time and all comments should be directed to the Planning Commission.
- b) Speakers should approach the podium so they may be visible and audible to the Commission.
- c) Each speaker should clearly state his/her name and address.
- d) All questions should be directed to the Chairman. Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
- e) Speakers should be brief and avoid repetition of previously presented comments.

VIRGINIA: AT A REGULAR MEETING OF THE AMELIA COUNTY PLANNING COMMISSION HELD IN THE CONFERENCE ROOM OF THE COUNTY ADMINISTRATION BUILDING ON MONDAY, October 23, 2023, AT 7:30 P.M.

PRESENT: LARKIN MOYER- Chairman
ROY EASTER – Vice-Chairman
JERRY “WHIT” MORRIS
JOHN AARON
JUAN WHITTINGTON
JENNIFER HARRIS
RICHARD CUMBIE, JR
DAVID FELTS, JR. – Board of Supervisors Representative

ABSENT: TRAVIS BARNARD
DENNIS RAMSEY
MICHAEL BATES

Amelia County Planning Commission

BRADY DEAL, Director of Community Development

I. CALL TO ORDER

Chairman Moyer called the meeting of the Amelia County Planning Commission to order at 7:30 p.m.

II. DETERMINATION OF QUORUM

Chairman Moyer declared there was a quorum with 8 of 11 members present at 7:30 p.m.

III. APPROVAL OF MINUTES

Vice Chairman Easter made a motion, seconded by Commissioner Morris to approve the minutes for the September Regular Meeting.

The motion carried 8-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Juan Whittington- AYE, Jennifer Harris- AYE, Whit Morris- AYE, Roy Easter-AYE, David Felts- AYE, Richard Cumbie- AYE.

IV. OLD BUSINESS

Public Hearing – Special Exception Request – Milestone Towers (Wireless Support Structure in excess of 80’)

Chairman Moyer asked if the tower location had been moved in the conceptual site plan since the last meeting.

Mr. Yates stated that the location had not been changed and iterated that they were 195' off of Grub Hill Church Road and that the most recently submitted site justification information suggested why the desired location is the best.

Chairman Moyer reminded the Commission that the applicant stated that would be fine with a condition that the EMF emissions be tested annually and a report of such be provided to the county. He added that all of the information submitted was helpful.

Commissioner Whittington stated that the information provided on the emissions and the additional information on the site map was very helpful and that he felt the Commission had done right by deferring action for 30 days.

Commissioner Whittington made a motion, seconded by Commissioner Morris to recommend approval of the request to the Board of Supervisors with the condition that a test on the EMF emissions be performed and results of such test provided to County staff on an annual basis.

The motion carried 7-1 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Juan Whittington- AYE, Jennifer Harris- AYE, Whit Morris- AYE, Roy Easter-NO, David Felts- AYE, Richard Cumbie- AYE.

V. NEW BUSINESS

Commonwealth Regional Council – Comprehensive Plan Update Kick-Off Meeting

Mr. Deal introduced the individuals from the Commonwealth Regional Council, Todd Fortune and Lauren Jones, that were present to direct the kick-off meeting and specifically review some of the demographic data that they had compiled.

Mr. Todd Fortune and Ms. Lauren Jones provided a presentation of various demographic data groups such as population, employment, commuter in-flow & out-flow, affordability and spending/leakage.

This presentation resulted in substantial discussion between the Commissioners regarding the various data points and what they indicate for the current and future outlook for the County.

Mr. Deal asked if there were any categories that the Commission would like added to the demographic section.

Commissioner Harris mentioned that it would be nice to add median household income. Other commissioners mentioned that the number of total households would also be good to include.

Ms. Jones mentioned that building permit data could also be included.

Mr. Deal stated that it would be best to have data from comparable localities such as Cumberland, Dinwiddie, Prince Edward, etc.

Commissioner Harris asked if the colleges in Prince Edward County would skew their demographic data and its viability as a comparison to Amelia.

Commissioner Whittington stated that a really good point made in this draft section was the affordability of housing in the County versus the Richmond area could attract higher levels of residential growth and possibly make housing less affordable for local workers.

Vice-Chairman Easter stated that there had not been many new subdivisions in the last decade besides the most recent one approved for the Village Area on Dunn Street.

Mr. Fortune then transitioned the conversation to the Future Land Use map.

Mr. Deal overviewed the various designations that exist on the Future Land Use map. He described the recommendation of the previous Comprehensive Plan to create additional planning area designations.

Commissioner Felts asked if Jetersville was the only village area currently. He stated that he thought Scotts Fork, Mannboro, and Chula were also village areas.

A discussion ensued regarding the various village area designations that at one time existed on the Comprehensive Plan.

Commissioner Whittington stated that the 2017 Comprehensive Plan eliminated the other village area designations and only maintained the Jetersville village area.

Also, the Commissioners discussed the possible addition of a strip along Route 360 on the Future Land Use map that would prevent any misunderstanding about the County's desire to concentrate commercial/industrial growth along this corridor.

A discussion ensued about the 360 overlay district and the need to ensure that those development regulations are adhered to in an effort to prevent the 360 Corridor from becoming like the Chesterfield and Eastern Powhatan areas.

Mr. Deal then described a common inquiry that he has been receiving regarding dividing land. He stated that there has been a significant uptick in requests to divide land to family members. Specifically, he added that a majority of the requests are coming from individuals moving in from other areas that are buying properties and then commencing the process to divide the property to eligible family members. He asked the Planning Commission if they wanted to review this provision of the Subdivision Ordinance and possibly amend the eligibility requirements.

Commissioner Cumbie asked if there were that many lots for sale or if it was lots that had been in family ownership for a number of years.

Mr. Deal stated that there were a limited number of properties for sale in Amelia but that there are a large number of vacant properties that are currently or prospectively being transferred to heirs and will eventually be sold.

A discussion ensued between the Commissioners regarding this provision and the future outlook for these properties to turn into private subdivisions on easements and the issues that may arise as a result. Furthermore, the Commissioners discussed varying ideas on how this provision should be administered. A verbal consensus was established that the recipient of a family division needed to be at least 18 and that staff should bring some draft amendment options before the Commission at the November meeting.

Commissioner Harris asked why the County did not allow Air BnB establishments. Mr. Deal stated that the B-1 has a permitted use, tourist home, which would permit an Air BnB but that the other zoning designations do not have a permitted use for a short term rental other than a Bed and Breakfast, which would require a person to be on-site while individuals are staying there.

Chairman Moyer returned the discussion to the Comprehensive Plan and requested the other Commissioners take time to thoroughly review the goals/objectives section of the document. He added that there this area needs to be clarified to ensure there are not inconsistencies nor excess gray areas that would cause confusion.

The members of the Comprehensive Plan Committee agreed to hold a second meeting on Thursday, November 16th at 10:00 a.m.

VI. CHAIRMAN'S COMMENTS

VII. INFORMATIONAL

VIII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Moyer adjourned the meeting at 8:50 p.m.

Larkin Moyer, Chairman
Amelia County Planning Commission

ATTEST:

Brady Deal
Director of Community Development

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 314-6.5 **Family divisions.**

- A. One division limit. Only one such division shall be allowed during the lifetime of each **adult (over the age of 18)** family member of the donor or grantor without regard for ownership by the donor or grantor of differing tracts or parcels of land, and shall not be for the purpose of circumventing this chapter. Any further division beyond one cut for each family member shall be considered a subdivision subject to the provisions of this chapter. No more than three lots shall be served by a single easement. **[Amended 11-17-1999]**
- B. Immediate family. For the purposes hereof, a member of the immediate family is defined as any person who is natural or legally defined offspring, spouse, sibling, grandchild, grandparent, or parent of the owner.
- C. Restrictions. **[Amended 5-17-2006]**
- (1) Any lot hereby created other than in a large lot development shall contain a minimum of two acres to qualify as a family division and shall have a reasonable access right-of-way and/or easement 20 feet wide providing ingress and egress to a publicly maintained street or road. The parcel from which the family division is made shall maintain the minimum lot size of the zoning district in which it is located.
 - (2) No lot in a large lot development may be deeded as a family division unless said lot is 10 acres in size or larger and approved under the provisions of this chapter. The parcel from which the family division is made shall maintain the forty-acre minimum lot size for a large lot development in accordance with § **314-6.4A** above.
 - (3) No family division shall be made unless approved by the County Administrator or his designee. Approval shall be made within five business days of the County Administrator's office receiving all appropriate information to determine the family division.
 - (4) **The land being divided has been owned by the current owner or member of the owner's immediate family, in accordance with § 314-6.5B, above for at least five consecutive years.**
 - (5) During the initial five-year period following the creation of lots by family division, no sale of any such lot shall be made to any person other than an immediate family member as defined in § **314-6.5B** above unless such lots are subject to an involuntary transfer such as by foreclosure, death, judicial sale, condemnation, or bankruptcy and such transfer is approved by the County Administrator. Furthermore, no building permit shall be issued to the recipient of any such lot if such recipient is not an immediate family member as defined in § **314-6.5B** above.
 - (6) No family division shall be made in subdivisions recorded in the office of the Clerk of the Circuit Court after August 8, 1988. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
 - (7) The following note shall be added to the deed for a family division: "The grantor desires to divide the parent parcel to create a family division lot under the authority of Amelia County's family division provisions as found in § **314-6.5** of the Amelia County Subdivision Ordinance. The grantee is an eligible 'member of the immediate family' of the grantor as that term is defined in § **314-6.5B** of the Amelia County Subdivision Ordinance. The grantee shall not sell or convey the family division lot to a person other than an eligible 'member of the immediate family' for a period of five years from the date of recordation of this deed except as authorized by § **314-6.5C** of the Amelia County Subdivision Ordinance."

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 - (3) No family division shall be made unless approved by the County Administrator or his designee. Approval shall be made within five business days of the County Administrator's office receiving all appropriate information to determine the family division.
 - (4) During the initial **10-year** period following the creation of lots by family division, no sale of any such lot shall be made to any person other than an immediate family member as defined in § **314-6.5B** above unless such lots are subject to an involuntary transfer such as by foreclosure, death, judicial sale, condemnation, or bankruptcy and such transfer is approved by the County Administrator. Furthermore, no building permit shall be issued to the recipient of any such lot if such recipient is not an immediate family member as defined in § **314-6.5B** above.
 - (5) No family division shall be made in subdivisions recorded in the office of the Clerk of the Circuit Court after August 8, 1988. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
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 - (5) During the initial five-year period following the creation of lots by family division, no sale of any such lot shall be made to any person other than an immediate family member as defined in § **314-6.5B** above unless such lots are subject to an involuntary transfer such as by foreclosure, death, judicial sale, condemnation, or bankruptcy and such transfer is approved by the County Administrator. Furthermore, no building permit shall be issued to the recipient of any such lot if such recipient is not an immediate family member as defined in § **314-6.5B** above.
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