



**Smyth County
Planning Commission**
121 Bagley Circle, Suite 120
Marion, Virginia 24354

**Clerk's Direct Phone: (276) 706-8316
Fax: (276) 783-9314**

*Atkins District
Chilhowie District
North Fork District
Park District
Royal Oak District
Rye Valley District
Saltville District
Zoning Administrator, Clerk*

*Hazel L. Wagoner
Graham S. Davidson Jr.
Robert Campbell
Lea Meadows
Anthony "Tony" Ray Dean
Paul D. Shepherd
David L. Spence
Becca Creasy*

AGENDA

Thursday, September 26, 2024

6:30 p.m.

1. Call Meeting to Order
2. Adoption of Agenda
3. Adopt Minutes of July 25, 2024, meeting
4. Citizens Time
5. Other Business, if any
6. Zoning Administrator updates (July joint public hearing results)
 - William Varner – SUP for Campground/RV Park approved w/conditions
 - Myrtle Properties - Rezoning from I to C approved
7. Questions/Comments from Commissioners
8. Recess

JOINT PUBLIC HEARING WITH THE BOARD OF SUPERVISORS

7:00 p.m.

9. Chairman of the Board and Chairman of the Planning Commission call the joint public hearing to order.
10. Amendments to the Zoning Ordinance:
 - a. Section 4-8 – Add *Solid Waste* and exempt from regulations
 - b. Section 8-6.2 – adopt zoning fee and increase SUP and amendment fees
11. Adjourn public hearing.
12. Reconvene the Planning Commission meeting to deliberate the applications.
13. Adjournment.



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Note from the Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, July 25, 2024

The Smyth County Planning Commission met in their regular meeting on Thursday, July 25, 2024, at 6:30 P.M. in the Smyth County Office Building.

Commissioners Present: Graham Davidson Jr, Vice-Chairman, Chilhowie District; Robert Campbell, North Fork District; Lea Meadows, Park District; and Paul Shepherd, Rye Valley District.
Commissioners Absent: Hazel Wagoner, Chairperson, Atkins District; Tony Dean, Royal Oak District; and David Spence, Saltville District.

Staff Present: Becca Creasy and Clegg Williams

6:31 PM Mr. Davidson called the meeting to order.

Adoption of Agenda: Mr. Campbell made a motion to approve the agenda as presented which was seconded by Mr. Shepherd, with the following vote recorded.

Vote: 4 yeas Davidson Jr., Campbell, Meadows, and Shepherd
3 absent Wagoner, Dean, and Spence

Minutes: Ms. Meadows made a motion to approve the minutes of the Thursday, May 23, 2024, meeting. It was seconded by Mr. Shepherd, with the following vote recorded.

Vote: 4 yeas Davidson Jr., Campbell, Meadows, and Shepherd
3 absent Wagoner, Dean, and Spence

Other Business: Ms. Creasy provided the members with a written update from the Laurel Creek Energy Storage Facility.

Citizens Time: No citizens were present.

Commissioners Questions/Comments: None

6:35 PM With no further discussion, Ms. Meadows made a motion to recess the meeting for a joint public hearing with the Board of Supervisors. It was seconded by Mr. Shepherd, and unanimously approved.

JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS

Board Members Present: Charles Atkins, Chairman, Atkins District; Mike Sturgill, Vice-Chairman, Chilhowie District; Roscoe Call, Saltville District; Courtney Widener, Royal Oak District; and Jason Parris, Rye Valley District. **Board Members Absent:** Kris Ratliff, Park District, and Rick Billings, North Fork District

Commissioners Present: Graham Davidson Jr, Vice-Chairman, Chilhowie District; Robert Campbell, North Fork District; Lea Meadows, Park District; and Paul Shepherd, Rye Valley District.
Commissioners Absent: Hazel Wagoner, Chairperson, Atkins District; Tony Dean, Royal Oak District; and David Spence, Saltville District.

Staff Present: Clegg Williams, Assistant County Administrator – Development; Gabe Dempsey, Director of Information Systems; Kendra Hayden, Economic Development; Becca Creasy, Zoning Administrator

Others: Representatives from the Smyth County Sheriff's Office and Smyth County News and Messenger, and approximately eight citizens were present.

7/25/2024 7:03 PM Mr. Atkins, Chairman of the Board of Supervisors, and Mr. Davidson, Vice-Chairman of the Planning Commission called the joint public hearing to order.

7/25/2024 7:03 PM Mr. Williams read the legal ad.

**BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, July 25, 2024, at 7:00 P.M. or as soon after 7:00 P.M. as the application described below may be heard in the Smyth County Office Building at 121 Bagley Circle in Marion, Virginia, for the Planning Commission to consider whether or not to recommend the approval of the following application and the Board of Supervisors to consider whether or not to accept the Planning Commission's recommendation to the Zoning Ordinance of Smyth County, Virginia:

1) *William R. Varner has forwarded an application requesting a Special Use Permit for a Campground or RV Park on Saltville Hwy, north of Nuttywood Lane and across from 1857 Riverdale Lane in Saltville. The property is identified as Tax Map No. 29-A-82B and zoned Agricultural/Rural.*

2) *Mrytle Properties LLC has forwarded an application requesting an amendment to the official zoning map at Chilhowie, Virginia, to rezone approximately 15 acres from Agricultural/Rural to Industrial. The Smyth County Comprehensive Plan does not identify a density range, and the general usage of this portion of the property has most recently been agricultural. The property is located beside 289 Lee Hwy, Chilhowie, Virginia 24319.*

Any person may appear and state his/her views on this matter at this public hearing, subject to the rules of procedure of the Board of Supervisors and Planning Commission of Smyth County, Virginia.

Copies of the application and their maps or drawings are on file in the offices of the Zoning Administrator and the County Administrator of Smyth County. They may be reviewed upon request at the address above during regular business hours, Monday through Friday.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315 at least 48 hours before the hearing.

Smyth County fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Discrimination Complaint Form, contact (276) 783-3298 or at <https://www.smythcounty.org>.

Done by order of the Board of Supervisors and the Planning Commission.

Shawn Utt, County Administrator
Hazel Wagoner, Chairperson of the Planning Commission

7/25/2024 7:05 PM Mr. Parris made a motion to waive the rules of procedure during public meetings; it was seconded by Mr. Sturgill and unanimously carried.

7/25/2024 7:05 PM Mr. Williams presented William Varner's special use permit application for a campground/RV park located across from 1857 Riverdale Lane, Saltville, Tax Map Number 29-A-82B.

7/25/2024 7:08 PM Mr. Varner provided background on his property purchase in 2014, the costs already incurred for property improvements including guardrails and his intention to create a quiet, family-friendly

campground, with no loud noise, foul language, or alcohol. He noted the concerns related to the floodplain and understands his responsibility as the property owner to ensure compliance with local ordinances.

7/25/2024 7:15 PM Neighbors Ralph Frye, 1969 Saltville Highway, Saltville; and Donna and Andy Wolfe, 2007 Saltville Highway, Saltville, spoke in opposition of the campground. They voiced concerns about litter, potential overcrowding, sewage management, environmental impacts to both land and water, and potential negative impact on neighbors.

7/25/2024 7:26 PM Mr. Varner responded to the concerns, explaining the efforts made to clean and maintain the property, the importance of flood safety, and his plans for the campground.

7/25/2024 7:34 PM Discussion ensued about the conditions and regulations that could be placed on the Special Use Permit to address the concerns raised.

7/25/2024 7:37 PM Mr. Williams clarified that Mr. Varner's need for a Special Use Permit was due to his plans to rent these spaces.

7/25/2024 7:38 PM Discussion continued about the nearest dump stations and minimal lighting to preserve peace in the neighborhood.

7/25/2024 7:41 PM Mr. Atkins closed Mr. Varner's special use permit public hearing and Mr. Williams proceeded to the next application from Myrtle Properties, LLC, to rezone approximately 15 acres in Chilhowie, Virginia identified as a portion of tax map number 54-A-28 from Agricultural/Rural to Commercial, amending their original request to be rezoned Industrial. A letter from Myrtle Properties was read into record.

7/25/2024 7:43 PM Mr. Williams then read a letter into the record from Joyce McGhee, 145 Middle Fork Road, Chilhowie, expressing concerns about the impact on traffic and environment.

7/25/2024 7:45 PM Heather Luttrell on behalf of Myrtle Properties, LLC spoke (via zoom) about the benefits of the proposed rezoning including solving blight and reducing traffic compared to other possible developments. She was asked what type of business; she responded she was under a confidentiality agreement, but that it would be a trailer modification and steel fabrication business.

7/25/2024 7:47 PM Thomas McGee, of 145 Middle Fork Road, Chilhowie; Robert Hicks, of 195 Seven Mile Ford Road, Marion; and Steve Smith, of 260 Seven Mile Ford Road all spoke in opposition voicing their concerns of losing agricultural land, fears of more noise and dust being added to what is already being discharged by current industries in the area.

7/25/2024 8:00 PM Kendra Hayden addressed the transparency of the Economic Development Authority (EDA) and the limitations on sharing certain details. She reiterated that the request was for rezoning to Commercial, not Industrial, and no manufacturing or wood production would be involved.

7/25/2024 8:06 PM Discussion continued including the hours of operation and type of activities involved in the proposed business. Mr. Atkins acknowledged the concerns but emphasized that the current discussion is for rezoning the 15 acres.

7/25/2024 8:07 PM Mr. Atkins closed the public hearing, and the Board adjourned. Mr. Davidson reconvened the Planning Commission's meeting to discuss the public hearing.

7/25/2024 8:11 PM Discussions resumed on Mr. Varner's SUP request, with emphasis on clear rules and regulations for campers, environmental concerns, trash management, limiting the duration of camping stays and floodplain management.

7/25/2024 8:21 PM William R. Varner – recommendation on proposed Special Use Permit for a Campground or Recreational Vehicle Park After a lengthy discussion, Lea Meadows made a motion to recommend the Board of Supervisors approve William R. Varner's Special Use Permit for a Campground or Recreational Vehicle Park on property identified as tax map number 29-A-82B, located across from 1857 Riverdale Lane on Saltville Hwy in Saltville, with the following conditions:

- Install appropriate trash containers.
- Empty trash containers daily.
- To comply with floodplain requirements
- The maximum length of camping shall not exceed two weeks,
- Keep documentation of visitors.
- Verify the camper's contact information to address any illegal activities at the Campground and disclose floodplain requirements.

7/25/2024 8:28 PM Discussion continued, and questions arose as members discussed an expiration date for Mr. Varner's SUP to ensure compliance and gauge the neighbors. Ms. Meadows amended her motion to include:

- One-year expiration so the SUP can be reviewed (Mr. Varner shall reapply if he wishes to continue operating his campground)
- No invasive lighting shall be installed.

Vote: 4 yeas Campbell, Davidson, Meadows, and Shepherd
0 nays
3 absent Dean, Spence, and Wagoner

7/25/2024 8:47 PM Myrtle Properties LLC – recommendation on map amendment to rezone 15 acres from to C After discussion, Lea Meadows made a motion to recommend the Board of Supervisors approve Myrtle Properties' request for a map amendment to rezone approximately 15 acres to Commercial. The property is identified as a portion of tax map number 54-A-28 and is located at 289 Lee Hwy in Chilhowie. The motion was seconded by Mr. Shepherd and the following vote was recorded.

Vote: 3 yeas Davidson, Meadows, and Shepherd
0 nays
1 abstain Campbell
3 absent Dean, Spence, and Wagoner

7/25/2024 8:50 PM Ms. Meadows recommended reviewing the comprehensive plan future land use map to assess areas surrounding schools.

7/25/2024 8:50 PM Mr. Campbell made a motion to adjourn the meeting, it was seconded by Ms. Meadows, and it was followed by a unanimous vote.

Tony Dean, Secretary

Proposed Amendments to the Zoning Ordinance

Joint Public Hearing September 26, 2024

a. Section 4-8 – Add *Solid Waste* and exempt from regulations

Section 4-8. Public Utilities.

~~Any public utility~~ Public facilities, including solid waste, and any public utility used solely for local distribution such as water, sewer, cable TV, electric, telephone and natural gas lines shall not be subject to restrictions in this Ordinance. Major public utility installations such as electric generating and booster stations, high voltage electric towers, and communications towers are subject to compliance with Article III - District Regulations.

b. Section 8-6.2 – adopt zoning fee and increase SUP and amendment fees

8-6.2. Filing Fees. Filing fees for the above applications shall be based upon reasonable costs to pay for the expenses involved. The fees shall be as follows:

Option #1 – Staff Pick

Zoning permit	No Fee <u>\$50.00</u>
Zoning amendment (text change)	\$250.00 <u>\$500.00</u>
Rezoning (change to zoning map)	\$250.00 <u>\$500.00</u>
Special use permit	\$250.00 <u>\$500.00</u>
Variance	\$250.00 <u>\$500.00</u>
Appeal	\$250.00 <u>\$500.00</u>
<u>Agricultural</u>	<u>No Fee</u>

Option #2

Zoning permit	No Fee <u>\$50.00 (Residential)</u> <u>\$100.00 (Non-Residential)</u>
Zoning amendment (text change)	\$250.00
Rezoning (change to zoning map)	\$250.00
Special use permit	\$250.00
Variance	\$250.00
Appeal	\$250.00
<u>Agricultural</u>	<u>No Fee</u>

8.6.2(a) Fee: A non-refundable fee equal to the cost of advertising that meets the public notice requirements contained in the Code of Virginia, § 15.2-2204 shall be paid prior to the joint public hearing.

8.6.2(b) Failure to comply: Failure of the applicant to comply with the requirements of this section shall result in the application being returned to the applicant without any action by the administrator, his designee, or the Board.